

Statutes
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Ontario. Statutes

STATUTES

OF THE

PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

Twenty-Fifth Year of the Reign of His
Majesty KING GEORGE V

Being the First Session of the Nineteenth
Legislature of Ontario

1935

BEGUN AND HOLDEN AT TORONTO ON THE TWENTIETH DAY OF FEBRUARY
IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED
AND THIRTY-FIVE



ONTARIO

316668
19-6-35

COLONEL, THE HONOURABLE HERBERT ALEXANDER BRUCE,
M.D., R.A.M.C., F.R.C.S. (ENG.), LIEUTENANT-GOVERNOR

TORONTO

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1935

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PART I
PUBLIC ACTS
Chapters 1 to 75



25 GEORGE V

CHAPTER 1.

An Act to amend The Adoption Act.

Assented to March 27th, 1935

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Adoption Amendment Act*, Short title.
1935.

2. Section 5 of *The Adoption Act* is amended by adding Rev. Stat.,
c. 189, s. 5,
amended. thereto the following subsection:

(1a) In and by an adoption order the judge may in his Change of
Christian or
given name. discretion change the Christian or given name or names of the child to be adopted giving the child such name or names as the adopting parents may desire, and thereafter the child shall be entitled to and known by the name or names so given.

3. This Act shall come into force on the day upon which Commence-
ment of Act. it receives the Royal Assent.

CHAPTER 2.

An Act to amend The Agricultural Development Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Agricultural Development Amendment Act, 1935*.

Rev. Stat.,
c. 68, s. 2,
subs. 1,
amended.

2. Subsection 1 of section 2 of *The Agricultural Development Act* is amended by striking out the word "three" in the third line and inserting in lieu thereof the words "two or more," and by adding at the end thereof the words "who shall hold office during pleasure," so that the said subsection shall now read as follows:

Establish-
ment of
board.

(1) There shall be established a board to be known as the Agricultural Development Board, which shall consist of two or more persons to be appointed by the Lieutenant-Governor in Council, who shall hold office during pleasure.

Rev. Stat.,
c. 68, s. 5,
amended.

3. Section 5 of *The Agricultural Development Act* is amended by inserting after the word "bonds" in the third line the words "or debentures," and by striking out the words "the next preceding section" in the fourth line and inserting in lieu thereof the words "this Act," so that the said section shall now read as follows:

Treasurer
may
purchase
bonds.

5. The Lieutenant-Governor in Council may authorize the Treasurer of Ontario, out of the Consolidated Revenue Fund to purchase any bonds or debentures issued by the Board under the authority of this Act.

Rev. Stat.,
c. 68, s. 7,
subs. 2,
amended.

4. Subsection 2 of section 7 of *The Agricultural Development Act* is amended by striking out the words "mortgages made to" in the second line and inserting in lieu thereof the words "assets of," by striking out the word "mortgages" in the third line and inserting in lieu thereof the word "assets," and by inserting after the words "shall be a" in the third line,

the

the word "first," so that the said subsection shall now read as follows:

- (2) The debentures so issued shall be issued upon the ^{Security.} security of the assets of the Board and shall not exceed the amount of such assets, and such debentures shall be a first charge upon all the assets and revenues of the Board.

5.—(1) Subsection 1 of section 9 of *The Agricultural Development Act* is amended by adding thereto the following ^{Rev. Stat., c. 68, s. 9, subs. 1, amended.} clause:

- (h) for such other purposes relating to the development ^{Loans.} and operation of the applicant's farm as the Board approves.

(2) Subsection 2 of the said section 9 is amended by adding ^{Rev. Stat., c. 68, s. 9, subs. 2, amended.} at the commencement thereof the words "At the time of or," so that the said subsection shall now read as follows:

- (2) At the time of or subsequently to the making of the ^{Collateral security.} loan the Board may accept as collateral security for any loan made under the authority of this Act, a life insurance policy or an assignment thereof or any other security which the Board may deem proper.

(3) The said section 9 is amended by adding thereto the ^{Rev. Stat., c. 68, s. 9, amended.} following subsection:

- (3) The Board may make such composition, extension of ^{Composition extension, of time, etc.} time or scheme of arrangement with any borrower on his loan as the Board deems advisable.

6. Section 10 of *The Agricultural Development Act* is repealed ^{Rev. Stat., c. 68, s. 10, re-enacted.} and the following substituted therefor:

10. The Board with the approval of the Lieutenant-Governor in Council, may appoint committees, each ^{Committees, qualification.} of which shall be composed of two or more competent persons, one of whom shall be or shall have been a practical farmer, to consider and report to the Board upon applications and upon problems which may arise in connection with loans already made.

7. Subsection 1 of section 12 of *The Agricultural Development Act* is amended by striking out the figures "\$12,000" in ^{Rev. Stat., c. 68, s. 12, subs. 1, amended.} the first line and inserting in lieu thereof the figures "\$7,500," so that the said subsection shall now read as follows:

Limitations
as to loan.

- (1) No loan shall exceed \$7,500 and every loan shall be secured by a first mortgage upon lands suitable for agricultural purposes.

Rev. Stat.,
c. 68, s. 14,
amended.

8. Section 14 of *The Agricultural Development Act* is amended by striking out the words "sixty-five" in the fourth line and inserting in lieu thereof the word "fifty," so that the said section shall now read as follows:

Extent
of loan.

14. Where the Board is satisfied that the conditions of this Act have been complied with and that agricultural development will be promoted by the loan, the Board may make a loan to the applicant to the extent of fifty per centum of the value of the security as shown by the valuator's report.

Rev. Stat.,
c. 68, s. 15,
re-enacted.

9. Section 15 of *The Agricultural Development Act* is repealed and the following substituted therefor:

Loan,—
how
repayable.

- 15.—(1) Except as hereinafter provided, every loan made under this Act shall be repayable in equal annual instalments of principal and interest sufficient to discharge the debt at the end of such period as may be agreed upon, but no loan shall be made for more than thirty years.

Payments
on account
of loan.

- (2) Payments on account of the said loan, in addition to those provided for in the mortgage or agreement, may be made at any time.

Provisions of
payment,—
alterations
in.

- (3) Notwithstanding anything contained in this Act, the Board may accept payment of interest without principal for any period not exceeding three years and may, at any time at its discretion, alter the provisions for payment of any mortgage and may consolidate the total indebtedness owing by any mortgagor to the Board, inclusive of accrued interest and moneys paid for taxes and insurance to the date of consolidation and alter the provisions of the mortgage so that the consolidated indebtedness with interest may be repayable in annual instalments within a period not exceeding thirty years from the date of consolidation.

Regulations.

- (4) The Board may, with the approval of the Lieutenant-Governor in Council, make regulations relating to sales made by the Board under the power of sale contained in any mortgage where the purchase money or part thereof is secured by an agreement for sale and such regulations may be to the same

effect as those provided for in subsection 3 of this section and in subsection 3 of section 9.

- (5) The Board may accept a release of the equity of redemption existing by virtue of a mortgage to it and may sell any mortgaged property which it has thus acquired or which it is empowered to sell by virtue of the power of sale contained in a mortgage, at such price and upon such terms as in its discretion is deemed advisable. Equity of redemption,—Board may accept release of.

- (6) When a sale has been made by the Board under the powers of sale contained in any mortgage and the purchase money or part thereof is secured by an agreement for sale and any instalment, whether for principal or interest payable under the said agreement for sale, is not punctually paid, or if the purchaser makes default in the performance of any of the terms of such agreement, the Board, without any formal re-entry or taking of possession and without resorting to proceedings in equity or at law, may, upon ten days' notice in writing to the purchaser directed by mail to him at his address last known to the Board, rescind such agreement and re-sell or otherwise deal with the property as provided for in the said mortgage, to the same extent as if the said agreement for sale had not been entered into. Delay in payments.

10. Section 18 of *The Agricultural Development Act* is amended by adding thereto the following subsection: Rev. Stat., c. 68, s. 18, amended.

- (2) It shall be a term of every mortgage taken as security for a loan that upon the sale of the farm land mortgaged, the loan shall, at the option of the Board, immediately become due and payable. Terms of mortgage.

11. Subsection 1 of section 19 of *The Agricultural Development Act* is repealed and the following substituted therefor: Rev. Stat., c. 68, s. 19, subs. 1, re-enacted.

- (1) Every payment made on a mortgage given under this Act shall be disposed of as follows: Payments on mortgages,—how disposed of.
- (a) That portion of such payment which consists of principal shall, at the option of the Board, be paid to the Provincial Treasurer from time to time as received, to provide for the payment of the principal, payable upon the debentures issued by the Board and held by the Provincial Treasurer; or the Board may, if it so desires, retain the principal portion of such payment and reinvest same in first mortgages

according

according to the provisions of this Act. Such moneys, shall, while in the hands of the Board be placed in a special account, and shall be kept entirely separate and distinct from the other accounts and funds of the Board. In the event of the Board retaining and reinvesting such principal, the Provincial Treasurer shall, at the end of each fiscal year and upon the certificate of the Provincial Auditor, cancel the Board's debentures up to the amount reinvested by the Board during such year and accept from the Board, new debentures for such amount.

- (b) That portion of such payment which consists of interest and all other revenue of the Board on account of loans shall be applied, in the first instance, in payment of salaries and other operating expenses of the Board and then to payment of losses written off or sustained on the sale of mortgaged properties and the balance then remaining shall be paid to the Provincial Treasurer in payment of interest on debentures issued by the Board.

Rev. Stat.,
c. 68, s. 20,
repealed.

12. Section 20 of *The Agricultural Development Act*, as amended by section 3 of *The Statute Law Amendment Act, 1928*, is repealed.

Rev. Stat.,
c. 68, s. 22,
amended.

13. Section 22 of *The Agricultural Development Act* is amended by adding at the end thereof the words "and its employees," so that the said section shall now read as follows:

Salaries and
travelling
expenses of
Board and
employees.

22. The Lieutenant-Governor in Council may fix the salaries or other remuneration and an allowance for travelling or other expenses of the Board and its employees.

Rev. Stat.,
c. 68, s. 23,
re-enacted.

14. Section 23 of *The Agricultural Development Act* is repealed and the following substituted therefor:

Salaries
and
remunera-
tion,—how
payable.

23. The salaries or other remuneration of the Board and its officers and employees and all expenses of the Board or connected with the administration of the Act, shall be a first charge upon the interest payments received by the Board and shall be payable out of same as approved by the Board, and any additional moneys required for these purposes shall be paid out of the Consolidated Revenue Fund upon the certificate of the Minister or of an officer designated by him for that purpose.

15. Subsection 1 of section 25 of *The Agricultural Development Act* is amended by striking out the word "December" in the second line and inserting in lieu thereof the word "January."

Rev. Stat.
c. 68, s. 25,
subs. 1,
amended.

16. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of
Act.

CHAPTER 3.

The Assessment Amendment Act, 1935.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The Assessment Amendment Act, 1935*.

Rev. Stat.,
c. 238, s. 4,
amended.

2. Section 4 of *The Assessment Act* is amended by adding thereto the following paragraph:

Buildings of
cold
storage
plant.

26. The buildings and other structures erected or placed upon the lands of a corporation which occupies the same for the purposes of carrying on a cold storage plant, if such corporation is or has been aided by way of loan or grant by the Governments of Canada and Ontario, or either of them; provided that such exemption shall not apply to the land upon which such buildings or structures are erected or placed except to the extent the same may be exempted under the provisions of section 397 of *The Municipal Act*.

Rev. Stat.,
c. 233.

Rev. Stat.,
c. 238, s. 83,
subs. 1,
amended.

3. Subsection 1 of section 83 of *The Assessment Act* is amended by adding after the word "judge" in the seventh line the words "or the municipal corporation."

Rev. Stat.,
c. 238, s. 111,
subs. 2,
amended.

4.—(1) Subsection 2 of section 111 of *The Assessment Act* is amended by striking out the word "five" in the seventh line and inserting in lieu thereof the word "four."

Rev. Stat.,
c. 238, s. 111,
subs. 3,
amended.

(2) Subsection 3 of the said section 111 is amended by striking out the words "discount or" in the first line and by striking out the word "five" in the fourth line and inserting in lieu thereof the word "four."

Rev. Stat.,
c. 238, s. 111,
subs. 4,
amended.

(3) Subsection 4 of the said section 111 is amended by striking out the word "five" in the sixth line and inserting in lieu thereof the word "six."

5.—(1) Subsection 11 of section 120a of *The Assessment Act*, as enacted by section 8 of *The Assessment Amendment Act, 1934*, is repealed and the following substituted therefor:

Rev. Stat.,
c. 238,
s. 120a,
subs. 11
(1934,
c. 1, s. 8),
re-enacted.

- (11) Notwithstanding any provision of *The Municipal Act* or of this Act or of any other Act or of any by-law, where a council has passed a by-law under the authority of this section it shall not be necessary for such council to levy rates on the whole rateable property according to the last revised assessment roll, but the rates required to be levied in each year may be levied either before or after the completion of the special roll of taxable income upon such rateable property, exclusive of income assessment, and upon the taxable income entered in such special roll, and where such rates are levied before the completion of the special roll of taxable income the council may for the purpose of fixing such rates estimate the amount of income that will be entered in such special roll; Provided that when a rate has been levied in any year either under the authority of this section or upon income included as rateable property in the last revised assessment roll, no other rate upon income shall be levied by the council for the same purposes in the same year.

Levying
of the rate.

Proviso.

- (2) Subsection 1 shall be deemed to have come into force and taken effect on, from and after the 2nd day of April, 1934.

Subsection 1,
retroactive.

6. Section 143 of *The Assessment Act* as amended by section 10 of *The Assessment Amendment Act, 1933*, and by section 9 of *The Assessment Amendment Act, 1934*, is repealed and the following substituted therefor:

Rev. Stat.,
c. 238, s. 143,
re-enacted.

- 143.—(1) Irrespective of and in addition to any percentage charge imposed under the provisions of section 111, in every municipality the treasurer, or the collector if the rolls are unreturned, shall add to the amount of all taxes due and unpaid, interest at the rate of one-half of one per centum per calendar month or fraction thereof from the 31st day of December in the year in which such taxes are levied until such taxes are paid.

Interest on
tax arrears.

- (2) No interest or percentage added to taxes shall be compounded.
- (3) Interest and percentages added to taxes shall form part of such taxes and be collected as taxes.

Interest,
etc.,
not to be
compounded.

Interest,
etc., to form
part of
taxes.

COUNTY
Treasurer
to add
interest.

- (4) After taxes have been returned to the county treasurer he shall add interest thereto as provided by this section.

Rev. Stat.
c. 288, s. 152,
1904,
a. 1, s. 111,
amended.

7. Section 152 of *The Assessment Act* as re-enacted by section 11 of *The Assessment Act, 1934*, is amended by adding thereto the following subsection:

Notice to
be given
of place
and date
of sale.

- (6) The list published as required by this section and posted as required by section 154 shall contain a notification that unless the arrears and costs are sooner paid, the treasurer will proceed to sell the lands for the taxes on a day and at a place named in such notification.

Rev. Stat.,
c. 288, s. 173,
amended.

8. Section 173 of *The Assessment Act* is amended by adding after the word "treasurer" in the sixth line the words "for the use and benefit of the purchaser, or his legal representatives."

Commence-
ment of
Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 4.

An Act to amend The Athletic Commission Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Athletic Commission Amendment Act, 1935.* Short title.

2.—(1) Section 1 of *The Athletic Commission Act* is Rev. Stat., c. 261, s. 1, amended. amended by inserting after the word "Council" in the third line the words "who shall hold office during pleasure," so that the said section shall now read as follows:

1. There shall be established a commission to be composed of five persons appointed by the Lieutenant-Governor in Council who shall hold office during pleasure and the commission shall be a body corporate under the name of the "Ontario Athletic Commission" herein-after called "the commission." Establishment of commission.

(2) The said section 1 is amended by adding thereto the following subsections: Rev. Stat., c. 261, s. 1, amended.

- (2) Any member of the Legislative Assembly may be appointed as a member of the commission. Appointment of members of Assembly.
- (3) The administration of this Act shall be under the direction and control of the Minister of Health. Administration of Act.

3. Section 6 of *The Athletic Commission Act* is amended by adding thereto the following subsection: Rev. Stat., c. 261, s. 6, amended.

- (2) Notwithstanding anything in *The Legislative Assembly Act* the appointment of the chairman or of any other member of the commission if a member of the Assembly shall not be avoided by reason of the payment to him, or the acceptance by him of any allowance, expenses or disbursements under this Act, nor shall he thereby vacate or forfeit his seat or

incur

incur any other penalties imposed by the said Act for sitting and voting as a member of the Assembly.

Commence-
ment of
Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 5.

An Act to amend The Bills of Sale and Chattel Mortgage Act.

Assented to March 27th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Bills of Sale and Chattel Mortgage Amendment Act, 1935.* Short title.

2. Subsection 11 of section 24 of *The Bills of Sale and Chattel Mortgage Act* as enacted by section 2 of *The Bills of Sale and Chattel Mortgage Act, 1933*, is amended by adding at the end thereof the words "and, for the purposes of registration of any further statement of renewal, such statement of renewal shall be deemed to have been registered upon the actual date of registration" so that the said subsection shall now read as follows:

- (11) Where a statement of renewal is not duly registered within the time prescribed by this section, the judge of the county or district court may permit the same to be registered at a later date upon being satisfied by affidavit, or affidavits, that the failure to register arose from misadventure, ignorance or some other cause which constitutes a reasonable excuse, and that the parties have acted and are acting in good faith, but in such case the renewal statement shall as against creditors of the mortgagor, or as against subsequent purchasers or mortgagees in good faith for valuable consideration who have purchased or have given credit after the expiry of the mortgage but before registration be deemed to have been executed and to be effective only from the date of registration, and, for the purposes of registration of any further statement of renewal, such statement of renewal shall be deemed to have been registered upon the actual date of registration.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 6.

An Act respecting Burial of Veterans of the Great War.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Burial of War Veterans Act, 1935.*

Liability of
municipality
for burial
of veterans.

2. In the event of the death of any person who is an indigent person and who was a member of His Majesty's Military or Naval Forces in active service during the Great War, 1914-1918, and the burial was provided by and paid for from the Last Post Fund, the municipality in which such person resided at the time of his death shall pay the expenses of such burial, but not exceeding the sum of \$15 to the Last Post Fund upon proof of such burial and demand for payment made by a properly accredited officer of the said fund.

1931, c. 78,
s. 21, subs. 2,
repealed.

3. Subsection 2 of section 21 of *The Public Hospitals Act, 1931*, is repealed.

1931, c. 76,
s. 40, subs. 2,
repealed.

4. Subsection 2 of section 40 of *The Sanatoria for Consumptives Act, 1931*, is repealed.

In case of
workman,
compensa-
tion payable
to Last Post
Fund.

5. In the event of the death of any workman who was a member of His Majesty's Military or Naval Forces in active service during the Great War, 1914-1918, and the burial was provided by and paid for from the Last Post Fund, the necessary expenses of the burial payable under the provisions of clause a of subsection 1 of section 35 of *The Workmen's Compensation Act* not exceeding \$100 shall be paid to the Last Post Fund.

Commence-
ment of
Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 7.

An Act to amend The Children of Unmarried Parents Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Children of Unmarried Parents Amendment Act, 1935.* Short title.

2. Clause *d* of section 10 of *The Children of Unmarried Parents Act* is repealed and the following substituted therefor Rev. Stat., c. 188, s. 10, cl. *d*, re-enacted.

(*d*) the putative father at any time has failed in whole or in part to carry out the terms of any agreement authorized by this Act.

3. Section 17 of *The Children of Unmarried Parents Act* as amended by section 15 of *The Statute Law Amendment Act, 1931*, is repealed and the following substituted therefor: Rev. Stat., c. 188, s. 17, re-enacted.

17.—(1) The judge may, upon the discovery of new evidence or fraud being shown by affidavit, grant leave to reopen and may reopen and reconsider any application for an affiliation order. Reopening of application.

(2) The judge may at any time where an order for payment has been made, rescind or vary such order as he sees fit and any order so varied may be enforced in like manner as the original order. Order may be rescinded or varied.

4. Clause *c* of subsection 2 of section 19 of *The Children of Unmarried Parents Act* as amended by section 18 of *The Statute Law Amendment Act, 1932*, is further amended by striking out the words "payments in respect of which he is in default" in the fifth and sixth lines and inserting in lieu thereof the words "sums of money payable under the order or such lesser sums as the judge may see fit to designate" so that the said clause shall now read as follows: Rev. Stat., c. 188, s. 19, subs. 2, cl. *c*, amended.

Enforcing
payment by
imprison-
ment.

- (c) may, when a warrant has been issued or where the person in default fails to satisfy the judge that such default is due to inability to pay, order such person to be imprisoned for any period not exceeding three months unless the sums of money payable under the order, or such lesser sums as the judge may see fit to designate, are sooner paid.

Rev. Stat.,
c. 188, s. 27,
subs. 2,
amended.

5. Subsection 2 of section 27 of *The Children of Unmarried Parents Act* as amended by section 15 of *The Statute Law Amendment Act, 1931*, is further amended by adding thereto the words "and of the ability and prospective means of the father to make the payments provided by such agreement" so that the said subsection shall now read as follows:

Default
under
agreement.

- (2) Upon default in payment under any such agreement the provincial officer may apply to a judge for an affiliation order, and such agreement when made by the person said to be the father of the child shall be *prima facie* proof of paternity and of the ability and prospective means of the father to make the payments provided by such agreement.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 8.

An Act to provide for the Sale of Clean Grain.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Clean Grain Act, 1935.* Short title.
2. In this Act,— Interpre-
tation.
 - (a) "Grain" shall include oats, barley, corn, wheat, rye, "Grain." buckwheat, peas, flax, screenings and such other grain or seed as may be designated by the Lieutenant-Governor in Council whether the same is mixed or unmixed, ground or unground;
 - (b) "Impurities" shall include such substances, matters "Impurities." and things as may be designated by the regulations;
 - (c) "Minister" shall mean Minister of Agriculture; "Minister."
 - (d) "Regulations" shall mean regulations made under "Regula-
this Act; tions."
 - (e) "Sell" shall mean and include keep, offer or expose "Sell." for sale or sell, and "sold" shall have a corresponding meaning;
 - (f) "Weed seeds" shall include the seeds of any plant "Weed
designated by the regulations. seeds."
3. This Act shall not apply to grain which is sold,— Exceptions
as to
application
of Act.
 - (a) by the grower thereof to any person who puts such grain to his own use and does not resell the same;
 - (b) by the grower thereof to any person for the purpose of cleaning before being resold;
 - (c) for such other purposes as may be provided by the regulations.

Imported
grain to
comply with
regulations
before sale
in Ontario.

4.—(1) Except as provided by this Act or the regulations all grain brought into Ontario shall before being offered for sale or sold therein be clean and free from weed seeds and other impurities as provided for in and required by the regulations.

Invoice to
show
compliance
with Act.

(2) Except as provided in subsection 1, the bill of lading or invoice of every shipment of grain which is sold or to be sold in Ontario shall have printed or marked thereon a statement that such grain complies with this Act and the regulations.

Grain
under
shipment.

(3) All grain to which this Act applies while under shipment within Ontario shall *prima facie* be presumed to be intended to be offered for sale or sold in Ontario unless the bill of lading or invoice of such shipment establishes the contrary to be the case.

Sale of
unclean
grain
prohibited.

5. No grain to which this Act applies may be offered for sale or sold in Ontario unless the same complies with this Act and the regulations.

Regulations.

6. The Lieutenant-Governor in Council upon the recommendation of the Minister may make regulations,—

- (a) designating the plants the seeds of which shall be weed seeds within the meaning of this Act;
- (b) designating the substances, matters and things which shall be impurities within the meaning of this Act;
- (c) prescribing the maximum quantity or percentage of weed seeds or impurities which may be mixed or contained with grain to which this Act applies;
- (d) prescribing the methods and means by which grain to which this Act applies shall be cleaned and freed from weed seeds and impurities;
- (e) providing for the inspection, sampling and testing of grain to which this Act applies.

Penalty.

7.—(1) Every person who offers for sale or sells in Ontario any grain to which this Act applies which does not comply with this Act or the regulations shall be guilty of an offence and shall incur a penalty of not less than \$20 nor more than \$200 for each offence recoverable under *The Summary Convictions Act*.

Rev. Stat.,
c. 121.

Seizure
of grain
sold in
contraven-
tion of Act.

(2) In addition to any penalty to which any person may be subject under this Act, any grain to which this Act applies offered for sale or sold in Ontario, except in compliance with

this

this Act may be seized by any person authorized by the Minister and may be held by such person at the expense of the owner of the grain until this Act is complied with, and failing such compliance within twenty-one days after seizure the grain shall be forfeited and may be disposed of as the Minister may direct.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of
Act.

CHAPTER 9.

An Act to amend The Commissioners for Taking Affidavits Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Commissioners for Taking Affidavits Amendment Act, 1935*.

Rev. Stat.
c. 109, s. 2,
subss. 1 and
2 re-enacted.

2. Subsections 1 and 2 of section 2 of *The Commissioners for Taking Affidavits Act* are repealed and the following substituted therefor:

Clerk of
municipality
to be *ex
officio* com-
missioner.

(1) The clerk of every county, district and union of counties shall be *ex officio* a commissioner for taking affidavits in and for such county, district or union of counties and the clerk of every other municipality shall be *ex officio* a commissioner for taking affidavits in and for the county, district or union of counties in which such municipality is located.

Member of
Legislative
Assembly to
be *ex officio*
commis-
sioner.

(2) Every member of the Legislative Assembly shall be *ex officio* a commissioner for taking affidavits within Ontario.

Rev. Stat.
c. 109, s. 4a
(1933, c. 59,
s. 13)
amended.

3. Section 4a of *The Commissioners for Taking Affidavits Act* as enacted by section 13 of *The Statute Law Amendment Act, 1933*, is amended by inserting after the word "Dominion" in the third line the words "or of the Agricultural Development Board or the Department of Public Welfare," so that the said section shall now read as follows:

Power to
take oaths.

4a. The Lieutenant-Governor in Council may confer upon such officers and employees of the Income Tax Division, Department of National Revenue (Dominion) or of the Agricultural Development Board or the Department of Public Welfare, as he may designate, full power to administer oaths and take affidavits in connection with the performance of their official duties, but limited as the Lieutenant-Governor in Council may determine.

4.—(1) Subsection 1 of section 5 of *The Commissioners for Taking Affidavits Act* is repealed and the following substituted therefor: Rev. Stat. c. 109, s. 5, subs. 1 re-enacted.

(1) The Lieutenant-Governor may, by commission, empower any person of the full age of twenty-one years or over to administer oaths and take affidavits within or without Ontario in or concerning actions, causes or matters depending in or in anywise concerning any proceeding to be had in any court in Ontario. Commissioners, appointment of.

(2) The said section 5 is amended by adding thereto the following subsection: Rev. Stat. c. 109, s. 5 amended.

(1a) The appointment of every such person appointed within Ontario shall be for a period of three years provided that any such appointment may from time to time be renewed for a period of three years at the pleasure of the Lieutenant-Governor. Period of appointment.

5. Section 9 of *The Commissioners for Taking Affidavits Act* is repealed and the following substituted therefor: Rev. Stat. c. 109, s. 9 amended.

9. The Lieutenant-Governor may revoke the commission of any commissioner appointed by him or by the judges of the Supreme Court or any court formerly authorized to issue commissions, and such revocation shall operate as a revocation for all purposes. Revocation of commission.

6. Section 10 of *The Commissioners for Taking Affidavits Act* is amended by adding thereto the following subsection: Rev. Stat. c. 109, s. 10 amended.

(2) Every commissioner appointed within Ontario under the provisions of section 5 shall indicate in writing under his signature the date upon which his commission expires. Indication of expiry of commission.

7. *The Commissioners for Taking Affidavits Act* is amended by adding thereto the following section: Rev. Stat. c. 109 amended.

14. The Lieutenant-Governor may make regulations respecting the fees payable to the Crown and the fees receivable by commissioners under this Act. Regulations.

8. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 10.

An Act to amend The Controverted Elections Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Controverted Elections Amendment Act, 1935*.

Rev. Stat.,
c. 11, s. 15,
re-enacted.

2. Section 15 of *The Controverted Elections Act* is repealed and the following substituted therefor:

Verification.

15.—(1) With every petition shall be filed an affidavit by each of the petitioners, referring or annexed to the petition, stating that the deponent presents the petition in good faith, and with actual knowledge of the allegations therein contained, and has reason to believe and does believe the statements contained therein to be true in substance and in fact and all particulars afterwards furnished by either party shall be verified by the affidavit of the person furnishing such particulars.

Cross-
examination.

(2) The respondent may cross-examine any petitioner upon any such affidavit made by such petitioner and may move for the dismissal of the petition, and if the court or a judge is satisfied that the petitioner is not acting in good faith or has not reason to believe or does not believe any statements contained in such affidavit or the petition or particulars verified by such affidavit, the petition shall be dismissed and all proceedings thereunder terminated on such terms as the court or a judge may direct.

Rev. Stat.,
c. 11, s. 41,
re-enacted.

3. Section 41 of *The Controverted Elections Act* is repealed and the following substituted therefor:

Application
to change
petitioner
when delay
in fixing
day of trial.

41.—(1) Where forty-five days have elapsed after the presentation of the petition without the day for trial having been fixed, any voter may, within fifty-five

days

days after the presentation of such petition, apply to the court or a judge to be substituted for the petitioner or petitioners on such terms as may be just, and to have the date of trial fixed.

- (2) Unless such application is made within such time such petition shall be dismissed, and all further proceedings thereunder shall be terminated upon such terms as the court or judge may direct. Dismissal of petition.

4. Subsection 3 of section 42 of *The Controverted Elections Act* is repealed. Rev. Stat., c. 11, s. 42, subs. 3, repealed.

5. Subsection 4 of section 70 of *The Controverted Elections Act* is amended by adding at the commencement thereof the words "Subject to the provisions of section 41" so that the said subsection shall now read as follows: Rev. Stat., c. 11, s. 70, subs. 4, amended.

- (4) Subject to the provisions of section 41 on the hearing of the application, any person who might have been a petitioner, may apply to be substituted as the petitioner. Substitution of new petitioner.

6. This Act shall come into force on the day upon which it receives the Royal Assent, and shall have effect from the 1st day of January, 1934. Commencement of Act.

CHAPTER 11.

An Act to amend The Co-operative Marketing
Loan Act, 1932.*Assented to April 18th, 1935.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Co-operative Marketing Loan Amendment Act, 1935*.

1932, c. 16,
s. 4, cl. (b),
re-enacted.

2. Clause *b* of section 4 of *The Co-operative Marketing Loan Act, 1932*, is repealed and the following substituted therefor:

Limitation
as to loan.

(b) In the case of a co-operative cold storage association to an amount not exceeding fifty per centum of the approved value of the property on which the loan is to be made, but in no case to exceed the sum of \$50,000;

1932, c. 16,
s. 5, subs. 1,
repealed.

3. Subsection 1 of section 5 of *The Co-operative Marketing Loan Act, 1932*, is repealed.

1932, c. 16,
s. 7, subs. 1,
amended.

4. Subsection 1 of section 7 of *The Co-operative Marketing Loan Act, 1932*, is repealed and the following substituted therefor:

Loan to be
secured by
chattel
mortgage.

(1) Each loan made on a chattel or chattels shall be secured by a chattel mortgage in favour of the Agricultural Development Board and made in accordance with *The Bills of Sale and Chattel Mortgage Act*.

Rev. Stat.,
c. 164.

Loan on real
estate to be
secured by
first
mortgage.

(1a) Each loan made on real estate acquired by the Association shall be secured by a first mortgage on the said real estate made in favour of the Agricultural Development Board and made in accordance with *The Short Forms of Mortgages Act*.

Rev. Stat.,
c. 145.

Commence-
ment of
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 12.

An Act to amend The Corporations Tax Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Corporations Tax Amendment Act, 1935*. Short title.

2. The clause lettered *l* in section 1 of *The Corporations Tax Act* as enacted by section 2 of *The Corporations Tax Act, 1930*, is repealed and the following substituted therefor: Rev. Stat.,
c. 29, s. 1,
cl. 1 (1930,
c. 6, s. 2),
amended.

(*l*) An incorporated company shall include corporations and associations however or wherever incorporated and where any such corporation or association is placed in the hands of or under the control of an agent, assignee, trustee, liquidator, receiver or other officials shall include such agent, assignee, trustee, liquidator, receiver or other officials. Definition
of incor-
porated
company.

3.—(1) Subsection 1 of section 3 of *The Corporations Tax Act* is repealed and the following substituted therefor: Rev. Stat.,
c. 29, s. 3,
subs. 1,
repealed.

(1) Every company or incorporated company, not including a municipal corporation, having its head office or other office in Ontario, or which holds assets in Ontario, or which transacts business in Ontario, whether under its own name or through an agent or otherwise shall annually pay to His Majesty for the uses of Ontario the taxes imposed by this Act at the time and in the manner hereinafter provided. Taxes
payable by
companies.

(2) Subsections 8 and 9 of the said section 3 are repealed. Rev. Stat.,
c. 29, s. 3,
subss. 8
and 9,
repealed.

(3) Subsection 22 of the said section 3 as enacted by section 3 of *The Corporations Tax Act, 1930*, is repealed. Rev. Stat.,
c. 29, s. 3,
subs. 22
(1930,
c. 6, s. 3),
repealed.

(4) The clauses lettered *a*, *c* and *d* in subsection 23 of the said section 3 as enacted by subsection 9 of section 2 of *The Corporations Tax Act, 1932*, are repealed and the following substituted therefor: Rev. Stat.,
c. 29, s. 3,
subs. 23,
cls. *a*, *c* and *d*
(1932, c. 8,
s. 2, subs. 9),
repealed.

(a)

Incorporated
companies,—
Tax on
capital.

(a) Save as in this subsection otherwise provided every incorporated company having its head or other office in Ontario or which holds assets in Ontario, or which transacts business in Ontario, whether under its own name or through an agent or otherwise shall pay a tax of one-tenth of one per centum upon the paid-up capital thereof.

(c) Provided further that the tax imposed by this subsection shall not apply—

- (i) to any mine, plant or works the profits of which are liable to taxation under *The Mining Tax Act*;
- (ii) to any milling, smelting, refining or reduction plant owned by the owner of the mine and used for processing of such mine's ores unless and until such mine is assessed for a tax under *The Mining Tax Act*;
- (iii) to any capital *bona fide* held or used in the survey for exploration of and development of gold, silver, copper, nickel or other precious or semi-precious metals;
- (iv) to any company maintaining a head office or executive office or both in Ontario but whose business and assets are carried on and situated entirely outside of the Province of Ontario;
- (v) to any company which maintains a head office or executive office or both in the Province of Ontario but whose assets consist wholly of shares or obligations of other companies or corporations;
- (vi) to any company whose affairs are in the hands of a liquidator, receiver or trustee and the assets of which, in the opinion of the Treasurer are insufficient to meet its liabilities;
- (vii) to any company, which in the opinion of the Treasurer, has not commenced to do business or, which in the opinion of the Treasurer, has ceased to do business;
- (viii) to any association incorporated without share capital;

- (ix) to any company, which in the opinion of the Treasurer, was incorporated for the purpose of drainage, agriculture or colonization in Ontario;
- (x) to any company, which in the opinion of the Treasurer, was incorporated for religious, charitable, philanthropic, social or educational purposes and which is not, in the opinion of the Treasurer, carried on for the purpose of gain;
- (xi) to any telephone company having a capital of less than \$100,000;
- (xii) to any company organized on a co-operative basis;
- (xiii) to any company, which in the opinion of the Treasurer, was incorporated for the purpose of conducting a community hall, community rink, community cemetery, amateur athletic club or social club;
- (xiv) to any company, which in the opinion of the Treasurer, was incorporated for the purpose of holding buildings or other assets of fraternal organizations provided such buildings are not, in the opinion of the Treasurer, operated for the purpose of gain;
- (xv) to any transportation company having its head office and business outside of Ontario, and which in the opinion of the Treasurer, maintains an office in Ontario only for the purpose of soliciting business for its system outside of Ontario provided that, in the opinion of the Treasurer, it does not sell transportation at its Ontario office;
- (xvi) to goodwill included as an asset to the extent that such goodwill, in the opinion of the Treasurer, has no value;
- (xvii) to corporations paying tax under subsection 12 of this section upon their entire capital except as to any portion of capital not so taxed under the said subsection;
- (xviii) to corporations paying taxes under subsections 2, 3, 4, 5, 6, 10, 11, 13, 14 and 15 of this section.

- (d) In this subsection the words "paid-up capital" shall mean and include the paid-up capital stock of the incorporated company, its surplus and reserve funds (except any reserve the creation of which is allowed as a charge against revenue under subsection 3 of section 3*a* of this Act) all sums or credits advanced or loaned to the incorporated company by any other company (not including any Bank), and all sums borrowed by the incorporated company by the issue of bonds, bond mortgages, debentures, mortgages or other like securities.

Rev. Stat.,
c. 29, s. 3,
subs. 24
(1932, c. 8,
s. 2, subs. 9)
repealed.

- (5) Subsection 24 of the said section 3 as enacted by subsection 9 of section 2 of *The Corporations Tax Act, 1932*, is repealed and the following substituted therefor:

Office tax.

- (24) (a) Save as in this subsection otherwise provided every incorporated company having its head or other office in Ontario or which transacts business in Ontario whether under its own name or through an agent or otherwise shall pay a tax of \$50 for each office or place of business in Ontario; and every incorporated company which holds assets in Ontario but has no designated office or place of business, shall, in addition to all other taxes for which it may be liable, pay a tax of \$50.
- (b) Provided that the combined tax payable under this subsection and under subsection 23 of this section by a company having a paid-up capital of less than \$50,000 shall in no case be less than \$20 and subject to such minimum tax, the tax imposed in this subsection for each office or place of business shall be one-tenth of one per centum of the paid-up capital as defined in clause *d* of subsection 23.
- (c) Provided further that the provisions of this subsection shall not apply to corporations paying taxes under subsections 2, 3, 6, 10, 11, 13, 14, or 15 of this section.
- (d) Provided further that the provisions of this subsection shall not apply to any association incorporated without share capital.
- (e) Provided further that the following companies shall, in lieu of the tax imposed by this subsection, pay a tax of \$20.
- (i) A mining company which, in the opinion of the Treasurer, is not developing its properties;
- (ii) Any company whose charter has not been surrendered and whose nominal head office is desig-

nated

nated as being in Ontario and which in the opinion of the Treasurer has not commenced to do business or has ceased to do business and is entirely without assets.

- (f) Provided further that in lieu of the tax imposed by this subsection the following companies having a capital of less than \$20,000 shall pay a tax of \$5; having a capital of \$20,000 or over and less than \$40,000 shall pay a tax of \$10; having a capital of \$40,000 or over and less than \$60,000 shall pay a tax of \$15; having a capital of \$60,000 or over and less than \$80,000 shall pay a tax of \$25; having a capital of \$80,000 or over shall pay a tax of \$50,—
- (i) Any company, which in the opinion of the Treasurer, was incorporated for the purpose of drainage, agriculture or colonization in Ontario;
- (ii) Any company which, in the opinion of the Treasurer, was incorporated for religious, charitable, philanthropic, social or educational purposes and which is not, in the opinion of the Treasurer, carried on for the purpose of gain;
- (iii) Any telephone company having a capital of less than \$100,000;
- (iv) Any company organized on a co-operative basis;
- (v) Any company which, in the opinion of the Treasurer, was incorporated for the purpose of conducting a community hall, community rink, community cemetery, amateur athletic club or social club;
- (vi) Any company which, in the opinion of the Treasurer, was incorporated for the purpose of holding buildings or other assets of fraternal organizations provided such buildings are not, in the opinion of the Treasurer, operated for the purpose of gain.

4. Section 3a of *The Corporations Tax Act* as enacted by section 3 of *The Corporations Tax Act, 1932*, is repealed and the following substituted therefor:

Rev. Stat.,
c. 29, s. 3a
(1932,
c. 8, s. 3),
repealed.

Tax on Net
Revenue.

3a.—(1) In addition to the taxes specified in section 3 every incorporated company having its head or other office in Ontario, or which holds assets in Ontario, or which transacts business in Ontario whether under its own name or through an agent or otherwise shall pay a tax of one per centum calculated on the net revenue of the company.

Net
revenue
defined.

(2) For the purposes of this section, net revenue means the annual net profit or gain of an incorporated company including profits directly or indirectly received from any trade, manufacture, or from commercial, financial or other business whether derived from a source within Ontario or elsewhere; and shall include interest, dividends and profits directly or indirectly received from money at interest upon any security or without security or from stocks or any other investment and also the annual net profit or gain from any other source including,—

(a) The income from, but not the proceeds of, life insurance policies paid upon the death of the person insured;

(b) Rents, royalties and other like periodical receipts which depend upon the production or use of any real property of an incorporated company notwithstanding that the same are payable on account of the use or sale of any such property.

Exemptions
and
deductions.

(3) Net revenue as defined in the last preceding subsection shall, for the purposes of this Act, be subject to the following exemptions and deductions,—

Deprecia-
tion.

(a) Such reasonable amount as the Treasurer may allow for depreciation;

Dividends.

(b) Dividends received from Canadian corporations where such corporations are taxable under this Act, and dividends received from Canadian corporations paying taxes under Provincial Corporations Tax or Provincial Income Tax Acts of other provinces where such provinces allow a similar exemption in respect of taxes paid under this Act;

Interest.

(c) Interest on funds borrowed by the incorporated company, but the rate allowed hereunder shall not in any case exceed the rate determined by the Treasurer;

(d)

- (d) Not more than ten per centum of the net Donations.
revenue of any incorporated company which
has actually been paid by way of a donation
within the taxation period to and receipted
for, as such, by any charitable organization
in Canada operated exclusively as such and
not operated for the benefit or private gain or
profit of any person, member or shareholder
thereof.
- (4) In computing the amount of the net revenue of any Deduction
not allowed
incorporated company a deduction shall not be
allowed in respect of,—
- (a) Disbursements or expenses not wholly, exclu- Expenses
not laid out
to earn
income.
sively and necessarily laid out or expended for
the purposes of earning the revenue;
- (b) Any outlay, loss or replacement of capital or Capital
outlay or
losses,
etc.
any payment on account of capital or any
depreciation, depletion or obsolescence, except
as otherwise provided in this section;
- (c) Amounts transferred or credited to a reserve, Reserves,
contingent
accounts
or sinking
funds.
contingent account or sinking fund, except
such an amount for bad debts as the Treasurer
may allow, and except as otherwise provided
in this section;
- (d) Carrying charges or expenses on an unproduc- Carrying
charges.
tive property or assets not acquired for the
purposes of the trade, manufacture or business
of the incorporated company, or of a liability
not incurred in connection with the trade,
manufacture or business of the incorporated
company;
- (e) The whole or any portion of any salary, bonus, Limitations
of certain
expenses
charged
against
profits.
commission or directors' fee which the
Treasurer may consider in his opinion in
excess of what is reasonable for the services
performed;
- (f) The amount of tax paid on account of net Income
taxes.
revenue to the Dominion of Canada or to any
jurisdiction including Ontario.
- (5) Provided that the provisions of this section shall not Provido.
apply to corporations paying taxes under subsections
2, 3, 4, 5, 6, 11, 13, 14, or 15 of section 3.

Provided further that the provisions of this section shall not apply to electric companies paying taxes under subsection 12 of section 3.

- (6) Provided further that the provisions of this section shall not apply—
- (a) to any company maintaining a head office or executive office or both in Ontario but whose business is carried on and situated entirely outside of the Province of Ontario and whose assets (other than investments in Dominion, Provincial and Canadian Municipal Bonds) are situated entirely outside of Ontario;
 - (b) to any company maintaining a head office or executive office or both in Ontario but whose assets consist of shares or obligations of subsidiary corporations whose business and assets are situated entirely outside of Ontario;
 - (c) to any company incorporated for religious, charitable, philanthropic, social or educational purposes but which in the opinion of the Treasurer, is not carried on for the purpose of gain;
 - (d) to any company whose affairs are in the hands of a liquidator, receiver or trustee, the assets of which are, in the opinion of the Treasurer, insufficient to meet its liabilities;
 - (e) to any association incorporated without share capital;
 - (f) to any company, which in the opinion of the Treasurer, was incorporated for the purpose of conducting a community hall, community rink, community cemetery, amateur athletic club or social club;
 - (g) to any transportation company with its head office and transportation system outside of Ontario;
 - (h) to any company whose gross revenue from investments in Dominion, Provincial or Municipal Debentures or in shares, bonds or other obligations

obligations of other companies is not less than ninety-five per centum of its total gross revenue.

5. Section 5 of *The Corporations Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 29, s. 5, repealed.

5. Unless otherwise provided in this Act, any tax imposed by this Act shall be determined upon the amount of the paid-up capital, stock, mileage, or other subject in respect of which the amount of such tax is to be ascertained as the same stood at the end of the fiscal year of the company next preceding the year for which such tax is imposed, provided that, in reference to the number of places of business, the number shall be the maximum number opened during the fiscal year next preceding the year for which the tax is imposed. How tax to be determined.

6. Section 7 of *The Corporations Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 29, s. 7, repealed.

- 7.—(1) Every company or incorporated company on which a tax is imposed by this Act shall on or before the 30th day of June in each year, without notice or demand, and any company or incorporated company on which a tax is or is not imposed by this Act shall upon receipt of a notice or demand in writing from the Treasurer or from any officer of the Treasury Department of the province of Ontario authorized to make such demand, deliver to the Treasurer such return as the Lieutenant-Governor in Council may prescribe for the purpose of carrying out the provisions of this Act. Company to file annual return.

- (2) The return and the certificate contained therein that the financial statements attached thereto are in agreement with the books of the company shall be verified by the signature of the president, or other officer having personal knowledge of the affairs of the company, and in the case of extra-provincial companies of the manager or chief agent of the company in Ontario, or of such other person or persons connected with the company as the Treasurer may require. Verification of returns.

7. Section 8 of *The Corporations Tax Act* as amended by section 2 of *The Corporations Tax Act, 1933*, is repealed and the following substituted therefor: Rev. Stat., c. 29, s. 8, repealed.

Taxes,—
when to
accrue.

8.—(1) The taxes imposed by this Act shall be deemed to be due on the 1st day of January of the calendar year in which they are imposed and shall be payable on or before the 30th day of June in such year.

Tax to be
forwarded
with
return.

(2) Every company or incorporated company on which a tax is imposed by this Act shall send with the return required by this Act the amount of the tax payable, as estimated by the company on the return, and in default of payment on the 30th day of June as aforesaid a penalty of five per centum of the amount of the tax payable shall be added thereto and thereafter a further penalty of one per centum per month shall be added for each additional month or portion thereof during which the said tax and penalty remain unpaid.

Recovery of
penalties,
Rev. Stat.,
c. 121.

(3) The penalties imposed by this section shall be recovered in the manner provided by *The Summary Convictions Act* and shall be payable to the Treasurer of Ontario.

Rev. Stat.,
c. 29, s. 9,
repealed.

8. Section 9 of *The Corporations Tax Act* is repealed and the following substituted therefor:

Penalty for
not making
return.

9.—(1) For every default in complying with the provisions of section 7 of this Act, the company, the president and the directors of every company and any person acting as a representative of an extra-provincial company shall jointly and severally be liable to a penalty of \$20 for each day of such default.

Penalty
for false
statement.

(2) For any false statement contained in any return made by any company or incorporated company or in any information required by the Treasurer from any company or incorporated company, the company or incorporated company shall be liable to a penalty not exceeding \$10,000.

Recovery of
penalties,
Rev. Stat.,
c. 121.

(3) The penalties imposed by this section shall be recovered in the manner provided by *The Summary Convictions Act*, and shall be payable to the Treasurer of Ontario.

Rev. Stat.,
c. 29, s. 11,
repealed.

9. Section 11 of *The Corporations Tax Act* is repealed and the following substituted therefor:

Returns
examined.

11.—(1) The returns received by the Treasurer shall with all possible despatch be checked and examined.

Requisition
by Treasurer
for further
information.

(2) If the Treasurer, in order to enable him to determine whether a return furnished is correct, desires further information,

information, he may, by registered letter addressed to the president, manager, secretary or agent of the company, require a further return to be furnished under oath within thirty days.

- (3) If the required information is not furnished to the satisfaction of the Treasurer, the Lieutenant-Governor in Council may direct inquiry to be made by a commissioner or commissioners appointed under *The Public Inquiries Act*, and the determination of the commissioner or commissioners, after having given all persons concerned an opportunity to be heard, shall, for the purposes of this Act, be final as to the particulars mentioned in the report, but the Lieutenant-Governor in Council may for cause vary the report; but the findings of the commissioner or commissioners shall not be varied so that the amount of the tax payable by the company shall be increased without giving the company an opportunity of being heard. Commission of enquiry.
Rev. Stat.,
c. 20.
- (4) If the inquiry is occasioned by failure to furnish the information required by the Treasurer, subject to the next succeeding subsection, the company shall pay the costs of the inquiry, but if the return is found to be correct and the required information appears to have been duly furnished, the Treasurer may direct the costs or such of them as were necessary to be paid by Ontario. Cost of commission.
- (5) If the commissioner or commissioners find that the return understates the amount upon which the tax should be paid, the company, besides paying the costs of the inquiry, shall pay the tax based on the amount as found by the commissioner or commissioners with fifty per centum added to the tax, unless the Lieutenant-Governor in Council shall otherwise direct. Additional tax where amount understated.
- (6) The costs of the commission may be fixed and certified by the Treasurer, or he may direct the same to be taxed, and when payable to the Crown the same may be recovered in the manner hereby provided for the recovery of a tax. Taxation of costs.
- (7) If the Treasurer directs the costs to be taxed the same shall be taxed by a taxing officer of the Supreme Court. Who to tax costs.
- (8) If the commissioner or commissioners find that the return understates the amount on which the tax should When under statement of amount made in good faith.

should

should be paid, but also certify that such understatement was not made with intent to decrease the amount of the tax to be paid but was made in good faith and with no improper motive, the Lieutenant-Governor in Council may, upon the recommendation of the Treasurer, remit so much of the added percentage and so much of the costs as to him may seem meet.

Books or
accounts
must be
kept.

- (9) If any company or incorporated company fails or refuses to keep adequate books or accounts for the purposes of ascertaining the amount of the tax payable under this Act, the Treasurer may require such company to keep such records and accounts as he may prescribe.

Treasurer
not bound
by returns.

- (10) Any return or information supplied by or on behalf of any company or incorporated company shall not be binding upon the Treasurer, and notwithstanding such return or information, or if no return has been made, the Treasurer may determine the amount of the tax to be paid by any company or incorporated company.

Notice of
assessment.

- (11) After examination of the return of the company or incorporated company, the Treasurer shall send a notice of assessment to the company verifying or altering the amount of tax as estimated in the return of the company and any additional tax found to be due over the estimated amount shall be paid within one month from the date of mailing of the notice of assessment, together with interest on such additional tax at the rate of six per centum per annum calculated from the last day prescribed for making such return.

Payment of
additional
tax.

- (12) If any company or incorporated company fails to pay such additional tax and interest, within one month from the date of the mailing of the notice of assessment aforesaid, the company shall pay in addition to the penalty provided by section 8 of this Act, a penalty of one per centum per month upon the said additional tax, for each month or portion thereof from the expiry of the period of one month from the date of the mailing of the said notice during which the said additional tax and interest remain unpaid.

Penalty for
non-
payment
of
additional
tax.

Refund.

- (13) (a) The Treasurer may refund at or prior to the issue of the notice of assessment, or after the issue of the notice of assessment, provided application in writing is made therefor by the taxpayer within six months

from

from the date of the payment of the tax or the date on which the notice of the assessment was issued, any overpayment of tax or penalties made by the company or incorporated company.

- (b) A refund of tax made in accordance with the preceding clause may be paid with interest at the rate of four per centum per annum thereon calculated from four months after the time the tax first became overpaid; provided that no interest will be paid where the refund of tax made is less than \$50. Interest on refund.

- (14) Notwithstanding any prior assessment or if no assessment has been made the company or incorporated company shall continue to be liable for any tax and to be assessed therefor and the Treasurer may at any time assess, reassess or make additional assessments upon any company or incorporated company for tax and penalties. Continuation of liability for tax.

10.—(1) Subsection 1 of section 12 of *The Corporations Tax Act* as enacted by *The Corporations Tax Act, 1933*, is amended by inserting the words “syndicate units” after the word “including” in the ninth line thereof and by inserting the words “to a broker” after the word “given” in the thirteenth line thereof so that the first sixteen lines of the said subsection shall now read as follows: Rev. Stat., c. 29, s. 12, subs. 1 (1933, c. 10, s. 3), amended.

- (1) Upon every change of ownership consequent upon the sale, transfer or assignment of any share of stock of any association, company or corporation or of any bond, debenture or share of debenture stock made or carried into effect in Ontario, or of any participating interest in the operations or profits of any association, company or corporation, represented by certificates or other instruments of title capable of being sold, transferred or assigned including syndicate units, mineral deeds, oil royalties and fixed investment trust shares issued by a trustee and representing an equitable ownership in deposited securities, and upon every order given to a broker in Ontario for the sale, transfer or assignment of any such securities when the order is to be executed outside Ontario, there shall be imposed, levied and collected a tax as follows: Transfer tax.

(2) Subsection 1 of the said section 12 as enacted by *The Corporations Tax Act, 1933*, is further amended by adding thereto the following clause: Rev. Stat., c. 29, s. 12, subs. 1 (1933, c. 10, s. 3), amended.

- (i) Three cents for every one hundred dollars or fraction thereof of the value of every syndicate unit, mineral deed and oil royalty.

Rev. Stat.,
c. 29, s. 12,
subs. 4
(1933,
c. 10, s. 3),
amended.

(3) Subsection 4 of the said section 12 as enacted by *The Corporations Tax Act, 1933*, is amended by inserting the words "or cash" after the word "stamps" in the first line and by adding at the end thereof the words "and may impose penalties for breach of any of such regulations" so that the said subsection shall now read as follows:

- (4) The said tax shall be payable in tax stamps or cash by the vendor, transferor or assignor, and the Lieutenant-Governor in Council may make regulations prescribing in any case or class of cases the manner in which and the person by whom the amount of such tax shall be computed and collected for and on behalf of His Majesty, and may impose penalties for breach of any of such regulations.

Rev. Stat.,
c. 29, s. 12,
subs. 10,
(1933,
c. 10, s. 3),
repealed.

(4) Subsection 10 of the said section 12 as enacted by *The Corporations Tax Act, 1933*, is repealed and the following substituted therefor:

Penalty.

- (10) (a) Any person who, being thereto liable, neglects or refuses to pay the tax imposed by this section, or who violates any of the provisions of this section for which no other penalty is provided, or any regulations made thereunder, shall be liable for each such violation to a penalty of not less than the amount of the tax due and not exceeding the total of the amount of the tax due and \$500.

Recovery of
penalties.

- (b) The penalties imposed by this subsection shall be recovered in the manner provided by *The Summary Convictions Act*, and shall be payable to the Treasurer of Ontario.

Rev. Stat.,
c. 121.

Rev. Stat.,
c. 29, s. 13,
subs. 4,
amended.

11. Subsection 4 of section 13 of *The Corporations Tax Act* is amended by striking out all the words after the word "penalty" in the sixth line and inserting in lieu thereof the words "and such penalties shall be recovered in the manner provided by *The Summary Convictions Act*, and shall be payable to the Treasurer of Ontario," so that the said subsection shall now read as follows:

Recovery of
penalties.

- (4) If a corporation or company makes default in complying with the provisions of this section, the corporation or company shall incur a penalty of \$20 for every day during which the default continues, and every director, manager or secretary of the corporation or company who wilfully authorizes or permits such default shall incur the like penalty, and such penalties shall be recovered in the manner provided by *The Summary Convictions Act*, and shall be payable to the Treasurer of Ontario.

Rev. Stat.,
c. 121.

12. Subsection 3 of section 14 of *The Corporations Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 29, s. 14, subs. 3, repealed.

- (3) The penalties imposed by this section shall be recovered in the manner provided by *The Summary Convictions Act* and shall be payable to the Treasurer of Ontario. Recovery of penalties. Rev. Stat., c. 121.

13. Section 18 of *The Corporations Tax Act* as enacted by section 5 of *The Corporations Tax Act, 1932*, is amended by adding thereto the following clause: Rev. Stat., c. 29, s. 18, (1932, c. 8, s. 5) amended.

- (g) authorizing the assistant treasurer or other officer of the Treasury Department to exercise such of the powers conferred by this Act upon the Treasurer as may be deemed more conveniently exercised by such officer.

14. Section 22 of *The Corporations Tax Act* is repealed. Rev. Stat., c. 29, s. 22, repealed.

15. This Act shall come into force on the day upon which it receives the Royal Assent and shall take effect as from the 1st day of January, 1935. Commencement of Act.

CHAPTER 13.

An Act to amend The County Courts Act.

Assented to April 18th, 1935, except section 3. Section 3 assented to March 27th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The County Courts Amendment Act, 1935*.

Rev. Stat.,
c. 91, s. 12,
subs. 3,
re-enacted.

2.—(1) Subsection 3 of section 12 of *The County Courts Act* is repealed and the following substituted therefor:

Trial
sittings,
County of
York.

(3) In the county of York four such sittings shall be held in each year to commence on the first Tuesday in December, March and May and the second Tuesday in September.

County of
Wentworth.

(3a) In the county of Wentworth four such sittings shall be held in each year to commence on the first Tuesday in December and March and on the second Tuesday in May and September.

Commence-
ment of
section.

(2) The amendment made by subsection 1 of this section shall be deemed to have been in force from the 1st day of April, 1935.

Rev. Stat.,
c. 91, s. 38,
re-enacted.

3. Section 38 of *The County Courts Act* is repealed and the following substituted therefor:

Trans-
mission of
pleadings,
etc.

38.—(1) The clerk shall, at the request of the appellant, transmit to the proper officer of the Supreme Court the pleadings in the cause and all motions or orders made, granted or refused therein together with the judgment or decision and all other papers in the cause affecting the question raised by the appeal.

Evidence
etc., to
be certified.

(2) The evidence and all objections and exceptions thereto together with the judge's charge to the jury where the trial has been held with a jury, shall be certified under the hand of the stenographic reporter who was present at the trial.

4. Section 43 of *The County Courts Act* is repealed and the following substituted therefor: Rev. Stat. c. 91, s. 43, re-enacted.

43.—(1) Notwithstanding the provisions of any other Act of this Legislature the Lieutenant-Governor in Council may: Power of Lieutenant-Governor in Council as to,—

(a) Make rules for regulating the practice and procedure in the county and district courts; Rules of practice.

(b) Make rules and regulations regulating and fixing all fees payable to the Crown in respect of proceedings in such courts; Fees of Crown.

(c) Prescribe a tariff of fees to be allowed to solicitors and counsel practising in such courts; Fees of solicitors.

(d) Prescribe forms for use in such courts. Forms.

(2) The existing rules, fees payable to the Crown, fees to be allowed to solicitors and forms, shall remain in force until altered, amended or repealed as in subsection 1 provided. Existing rules, tariff and forms.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 14.

An Act to amend The County Judges Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The County Judges Amendment Act, 1935*.

Rev. Stat.
c. 90, s. 9,
subs. 4
amended.

2.—(1) Subsection 4 of section 9 of *The County Judges Act* is amended by inserting after the words "*The Arbitration Act*" in the eighth line the words "*The Municipal Arbitrations Act*," so that the said subsection shall now read as follows:

Exceptions
as to arbi-
trators, etc.

(4) Nothing in the foregoing subsection shall apply to or affect the payment of any allowance or fees to the judge of a county or district court with respect to any office which may be lawfully held by him in addition to his office as judge, to which any annual allowance or salary may be attached, or in the performance of his duties as an arbitrator or referee under *The Municipal Act*, *The Public Works Act*, *The Railway Act (Ontario)*, *The Arbitration Act*, *The Municipal Arbitrations Act*, or any other statute designating him by his name of office as an arbitrator or referee.

Rev. Stat.
cc. 233, 52,
224, 97, 242.

Commence-
ment of
subsection 1.

(2) Subsection 1 of this section shall have effect as from the 1st day of November, 1934.

Rev. Stat.
c. 90, ss. 21,
22 repealed.

3. Sections 21 and 22 of *The County Judges Act* are repealed.

Rev. Stat.,
c. 90,
amended.

4. Section 24 of *The County Judges Act* is amended by adding thereto the following subsection:

How
convened.

(2) The judge in a county court district who, in point of time, is senior in appointment to office shall convene the meetings referred to in this section and unless all the judges present at any such meeting unanimously agree upon a different mode of dividing the work, the same shall be divided strictly in conformity with this and the next preceding section,

and

and no judge except by reason of illness or other unavoidable cause, shall be excused from performing the judicial work assigned to him at any such meeting.

5. This Act shall come into force on the day upon which ^{Commence-}
it receives the Royal Assent. _{ment of Act.}

CHAPTER 15.

An Act to amend The Crown Witnesses Act.

Assented to March 27th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Crown Witnesses Amendment Act, 1935*.

Rev. Stat.,
c. 127, s. 8,
re-enacted.

2. Section 8 of *The Crown Witnesses Act* is repealed and the following substituted therefor:

Reimburse-
ment of
one-third
by Province.

8. One-third of the amount paid to witnesses under this Act shall be paid to the county treasurer out of the Consolidated Revenue Fund if such payment is approved by the County Board of Audit appointed under *The Administration of Justice Expenses Act* and where such amount has been paid by a municipality other than the county, the county treasurer shall pay to such municipality the amount to which it is entitled.

Rev. Stat.,
c. 126.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 16.

An Act to establish the Department of
Municipal Affairs.*Assented to April 18th, 1935.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. This Act may be cited as *The Department of Municipal Affairs Act, 1935.* Short title.

2. In this Act,—

Interpreta-
tion.

- (a) "Board" shall mean the Ontario Municipal Board; "Board."
- (b) "Department" shall mean the Department of Municipal Affairs; "Depart-
ment."
- (c) "Deputy Minister" shall mean the Deputy Minister of Municipal Affairs; "Deputy
Minister."
- (d) "Local Board" shall mean and include any school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of police commissioners and any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality; "Local
board."
- (e) "Minister" shall mean the Minister of Municipal Affairs; "Minister."
- (f) "Municipality" shall mean a county, city, town, village or township, and shall include the corporation thereof, and for the purposes of this Act shall include every local board thereof; "Municipal-
ity."
- (g) "Public utility" shall mean and include any water-works, gasworks, including works for the trans- "Public
utility."

mission,

mission, distribution and supply of natural gas, electrical power or energy works, or system for the generation, transmission or distribution of electric light, heat or power, any telephone system, any street or other railway system, any bus or other public transportation system and any other works or system for supplying the inhabitants generally with necessities or conveniences which are vested in or owned, controlled or operated by a municipality or municipalities or by a local board.

Establishment of Department.

3.—(1) There shall be a Department of Municipal Affairs, over which the Minister shall preside.

Deputy Minister.

(2) A deputy minister of the department shall be appointed by the Lieutenant-Governor in Council.

Staff.

(3) The Lieutenant-Governor in Council may also appoint such officers, clerks and servants as from time to time may be deemed necessary for the proper conduct of the business of the department.

Jurisdiction of Department—municipal statutes.

4.—(1) The department shall administer all Acts in respect to municipal institutions and affairs, including *The Ontario Municipal Board Act, 1932*, and amendments thereto.

Other statutes.

(2) The department shall administer such other Acts as may be provided herein and as may from time to time be designated by the Lieutenant-Governor in Council.

Municipal affairs.

(3) The department shall exercise general oversight over municipal institutions and their administration and such special oversight and powers in relation thereto as may be provided in or under the authority of this or any other general or special Act; provided that nothing herein contained shall be deemed to divest the board of any jurisdiction or powers conferred on it by this or any other Act.

Housing Acts.

5. *The Ontario Housing Act, 1919*, and *The Municipal Housing Act, 1920*, and amendments thereto, respectively, shall be administered by the Department, and for the purposes of the said Acts and the regulations made thereunder, the deputy minister shall hereafter be the director named and referred to in such Acts.

Annual report.

6. The department shall submit to the Lieutenant-Governor in Council an annual report upon the affairs and work of the department, and such report shall be laid before the Assembly within twenty-one days after the commencement of the next Session.

7. The deputy minister and such of the officers of the department who may be authorized thereto by the Lieutenant-Governor in Council shall for any of the purposes of the department or of any Act which it administers, have and may exercise the same powers as a commissioner under *The Public Inquiries Act*. Powers of inquiry.

PART II

8.—(1) The jurisdiction formerly exercised by the Bureau of Municipal Affairs and transferred by Part IV of *The Ontario Municipal Board Act, 1932*, to the board, is hereby transferred to the department, which shall exercise jurisdiction over all the matters formerly assigned to the said bureau. Transfer of Bureau of Municipal Affairs.

(2) All the officers, clerks and servants of the said former bureau in office at the time this Act comes into force are hereby transferred to and shall be officers, clerks and servants of the department as if appointed thereto by the Lieutenant-Governor in Council. Transfer of staff.

9. The department shall have power to:

Municipal
accounting
system.

(a) prescribe and regulate the system of estimates, book-keeping and accounting to be adopted by municipalities, and the form of and the manner in which all estimates, books of account, registers, records, vouchers, receipts and other books and documents relating to the assets, liabilities, revenues and expenditures of municipalities shall be kept, and the manner in which all funds and moneys thereof shall be accounted for;

(b) prescribe the forms, returns, statements and information to be made and furnished by municipalities to the department, annually, periodically or otherwise, and the times when and by whom they shall be made; Municipal returns.

(c) prescribe and regulate the system of auditing of the accounts, registers, records, vouchers, receipts and other books and documents relating to the assets, liabilities, revenues, expenditures, funds and moneys of municipalities and the reports, returns, statements and information to be made and furnished by municipal auditors and otherwise with respect to the performance of their duties; Municipal audit.

(d) collect, compile, analyze and record such statistical and other information relating to the financial and other affairs of municipalities as may be useful; Compiling statistics, etc.

(e)

Publishing
reports, etc.

- (e) prepare and publish statistics, reports, records, bulletins, pamphlets, circulars and other means of disseminating information and advice in relation to municipal affairs as may be useful;

Report on
municipal
government,
etc.

- (f) study, report and advise upon the system of municipal institutions and the government and administration of municipal affairs;

Incidental
powers.

- (g) perform and do all things necessary or incidental to any of the aforesaid purposes;

Advisory
powers.

- (h) effect improvement generally in the conduct and administration of municipal affairs and, among other things, consult with and assist by advice municipalities, develop proper methods of municipal administration, financing, accounting and audit, collaborate with municipal associations and other bodies and collect, compile and disseminate municipal statistics and information;

Power of
investigation.

- (i) inquire at any time into any or all of the affairs financial and otherwise, of a municipality or local board and hold such hearings and make such investigations in respect thereof as may appear necessary or expedient to be made in the interest of such municipality, its ratepayers, inhabitants and creditors, and particularly to make and hold such inquiries, hearings and investigations for the purpose of avoiding any default or recurrence of default by any municipality in meeting its obligations.

Variations
in systems
and forms.

10. The department may, with respect to any of the matters mentioned in clauses *a*, *b* and *c* of section 9, prescribe different systems, methods and forms for the several classes of municipalities or for any municipality.

Duty of
members of
council, local
boards and
their officers.

11. Every municipality and every member of the council or a local board thereof and every officer thereof shall comply with any system, methods or forms prescribed under this Part to be adopted, kept or made by such municipality, local board or by the class of municipalities or local board of which such municipality or local board is one.

Adoption of
other
satisfactory
system of
accounting,
auditing,
etc.

12. A municipality which has adopted a system of estimates, book-keeping, accounting or auditing which the department is satisfied to approve may continue such system until otherwise directed by the department and until such time it shall not be necessary for the municipality to comply with any system prescribed under this Part.

13.—(1) All returns required by any Act to be made to the Secretary of the Bureau of Industries or to the Bureau of Municipal Affairs shall be made to the department. All returns to be made to the department.

(2) Where in any Act reference is made to the Director of the Bureau of Municipal Affairs such reference shall be deemed to be made to the department.

14.—(1) The department, upon its own initiative or when-ever requested by any municipality expressed by resolution of its council, or on a petition in writing signed by not less than fifty ratepayers assessed as owners and resident in a municipality, may direct a provincial municipal audit of the financial affairs of the municipality. Provincial municipal audit. When ordered.

(2) Any direction given by the department may extend to an audit of all the financial affairs of a municipality or may be limited to the financial affairs of any local board thereof, or to any specified phase of such financial affairs or to any specified books, accounts, registers, records, vouchers, receipts, funds, money or financial transactions, kept by or under the charge of any officer of the municipality designated by the department. Extent of audit.

15. The Minister may designate one of the officers of the department or may appoint a chartered accountant or other competent auditor to make any audit directed to be made under this Part, and the person appointed shall for the purposes of such audit have all the powers and perform all the duties mentioned in section 16. Appointment of special auditor to make the audit.

16. For the purposes of any audit the officer of the department or other person appointed to make the audit may require the production of all or any books, records and documents which may in any way relate to the affairs of the municipality, the subject of the audit, and inspect, examine and audit and copy the same and may require any officer of the municipality and any other person to appear before him and give evidence on oath touching any of such affairs and for such purpose shall have the same powers as a commissioner under *The Public Inquiries Act*. Powers of auditor with respect to an audit. Rev. Stat., c. 20.

17. Upon completion of an audit under this Part the auditor shall report thereon in writing to the deputy minister, who shall forthwith transmit a copy of the report to the municipality. Report on audit.

18. The department, as a result of any audit of the affairs of a municipality made under this Part, may make such orders as it may see fit requiring the municipality to carry out, put

into effect, observe, perform or enforce such matters or things as the audit may have disclosed as being necessary or desirable in the interests of the municipality or with respect to the due accounting for, collection or payment of any of its assets, liabilities, revenues, expenditures, funds or money or otherwise in any respect as the order of the department may provide.

Fees for
audit.

19. The department may fix the fees and allowances for expenses payable with respect to any audit of the affairs of a municipality under this Part, and the amount so fixed shall forthwith be paid by the municipality.

Exception
as to
municipal
hydro-
electric
commissions.

20. Nothing in this Part contained shall give to the department any jurisdiction with respect to any of the affairs of a municipal utility commission, the exclusive jurisdiction over which is by statute conferred upon The Hydro-Electric Power Commission of Ontario.

Obligations
of officers'—
sureties not
affected, etc.

21. Nothing in this Part shall affect or impair any security given by any officer of a municipality for the due and faithful performance of the duties of his office, nor relieve his sureties from liability in case of his default therein, nor shall anything in this Part relieve any municipality from its duty to appoint competent auditors.

Power to
obtain
returns on
failure of
municipality
to make
them.

22. Where a municipality fails, neglects or refuses to make or provide to the department any form or return, statement or information prescribed under this Part, the deputy minister may authorize some person to make and furnish the same at the expense of the municipality.

Penalty.

23. Any municipality, member of council or of a local board or an officer thereof or any other person guilty of any wilful breach of any of the provisions of this Part or of any order of the department made thereunder shall in addition to any other penalty provided by law incur a penalty of not less than \$20 and not more than \$200 recoverable under *The Summary Convictions Act*, and, if a member of a council or a local board shall, upon conviction, be disqualified from holding any municipal office for a period of two years.

Rev. Stat.,
c. 121.

PART III

SPECIAL JURISDICTION OVER DEFAULTING MUNICIPALITIES

24. In this Part,—Inter-
pretation.

- (a) "Improved land" shall mean any parcel of land separately assessed which has a building thereon, and shall include any land in actual use for agricultural purposes, although there is no building thereon; "Improved land."
- (b) "Registrar" shall mean the registrar of a registry office; "Registrar."
- (c) "Registry office" shall mean the registry office of the registry division for the county or district in which a municipality subject to this Part is situate; "Registry office."
- (d) "Vacant land" shall mean any parcel of land separately assessed, which has no building thereon, but shall not include any improved land. "Vacant land."

25.—(1) The board shall have and may exercise the special jurisdiction and powers conferred by this Part, whenever, upon request of the department or of a municipality, expressed by resolution of its council, or upon request of the creditors of a municipality having claims representing not less than twenty per centum of its indebtedness, including debenture debt, it is satisfied upon inquiry that the municipality has,—

Special
municipal
jurisdiction
of board.When
exercisable.

- (a) failed to meet and pay any of its debentures or interest thereon as the same became due and after payment thereof has been duly demanded; or Default
in meeting
debenture
debt.
- (b) failed to meet and pay any of its other debts or liabilities when due and default in payment is occasioned from financial difficulties affecting the municipality; or Default
in meeting
other in-
debtedness.
- (c) become so financially involved or embarrassed that default in meeting any of its obligations may probably ensue. Financial
difficulties
rendering
default
probable.

(2) In the course of an inquiry the board may investigate any or all of the affairs of a municipality. Partial or
full inquiry.

(3) The board may exercise the said powers with respect to any separate school board of any municipality which has not been made subject to this Part, upon request expressed by resolution of the school board. Separate
school
board.

Power of board to vest control over municipal administration in department.

26.—(1) If upon inquiry the board is of opinion that the circumstances so warrant or appear to render desirable, it may make such order as it may deem proper or necessary to vest in the department control and charge over the administration of all the affairs of the municipality as set forth in the order and to declare that thereafter and until the board shall otherwise determine and order such municipality shall be subject to the provisions of this Part.

Deputy minister not to sit as member of board.

(2) During such time as the deputy minister is a member of the board he shall not sit as a member thereof with respect to any application or matter before the board under this Part.

Powers of department.

27.—(1) Except as otherwise provided in this Part, the department shall have and may exercise the powers conferred on them by this Part and such additional powers as by any order of the board or by the terms of any agreement entered into under the authority of this Part may be conferred on it, and may do all things necessary or incidental to the exercise of any such powers.

Declaration as to jurisdiction of department.

(2) The jurisdiction and powers to be exercised under this Part by the department shall extend to and include not only control over all the affairs of the corporation of the municipality, but also over all the affairs of every local board of such municipality, unless an order made by the board shall otherwise expressly declare and direct.

Appeal to board.

28.—(1) The council or any local board or any creditor of either of them dissatisfied with any order, direction or decision of the department may within fifteen days, or such further time as the board may allow, appeal therefrom to the board.

Sinking funds.

(2) Every such order, direction or decision shall be communicated in writing by the department to the clerk of the municipality or secretary of the local board, as the case may be within five days after such order, direction or decision has been made.

Notice to be given of subjection of municipality to this Part.

29. Where a municipality has become subject to the provisions of this Part, notice thereof shall be given in the *Ontario Gazette* and in such one or more newspapers, published in or near the municipality and elsewhere and to such persons and in such form as the board may direct.

Stay of actions against municipality without leave of board.

30.—(1) When notice has been published in the *Ontario Gazette* that a municipality is subject to this Part, such publication shall operate as a stay of all actions or proceedings pending against the municipality and as a stay of execution as the case may be, and thereafter no action or other pro-

ceeding against the municipality shall be commenced or continued nor shall a levy be made under a writ of execution against the municipality, without leave of the board.

(2) Where the commencement or continuance of any action or proceeding or the making of any levy under a writ of execution is prevented or stayed under this section, the time during which such prevention or stay continues shall not be computed for the purposes of any Statute or law of limitations until leave of the board to commence or continue such action or proceeding or make such levy is obtained but the person having the right of action or to take any proceeding or to make a levy under a writ of execution shall upon the removal of the prevention or stay, have the same length of time within which to take action or proceed or make a levy under a writ of execution, as the case may be, as he had when such prevention or stay came into operation; provided that this subsection shall not apply unless application is made to the board for approval of the continuance or commencement of any such suit, action or proceeding, within the time so limited as aforesaid by statute or law of limitations and such approval is refused.

Suspension of operation of statutes of limitation.

31. Nothing in this Part contained shall take away any lien, hypothec or other charge, if any, in existence and subsisting at the time this Part comes into force with respect to any municipality upon or against any revenue or other asset of the municipality and the same shall continue to exist until it is satisfied and discharged.

Existing liens not taken away.

32. The department shall with respect to the municipality and every local board thereof have control and charge over the exercise by any of them of any of their powers and over the performance by any of them of any of their duties and obligations with respect to,—

Control exercised by department.

- (a) the appointment and dismissal of its officers, employees and servants, and their powers, duties, salaries and remunerations; Municipal officers.
- (b) the collection, receipt, application and payment of its revenues and expenditures; Revenues and expenditures.
- (c) the keeping, investment, use, application, payment and disposition of all sinking funds and of the moneys belonging thereto and of all rates levied and moneys collected for the purposes of any such sinking fund. Sinking funds.
- (d) the system of accounting and audit, and the dealing with its assets, liabilities, revenues and expenditures; Accounting and audit.

- Assessment. (e) the making of and the manner and times for making the assessment and assessment rolls and of appeals therefrom;
- Estimates (f) the yearly or other estimates and the form, preparation and completion thereof, and the times when the same shall be made;
- What estimates shall include. (g) the amounts to be provided for and included in the yearly or other estimates, whether the same are to be provided by taxation or otherwise;
- Rates and collection thereof. (h) the imposition, rating, levying and collection of all rates, assessments and taxation, the mode and times for collecting the same and the allowance of discounts or imposition of penalties thereon, and for the making and return of the collector's roll;
- Borrowings. (i) borrowing of moneys for the current expenditures of the corporation until the taxes are collected;
- Utility rates. Rev. Stat., c. 57. (j) subject to *The Power Commission Act*, the rates, rents and charges imposed, levied or collectible for supply or service of any public utility;
- License and permit fees. (k) imposition, charging and collection of all license permit or other fees, charges and expenses;
- Sale of assets. (l) the sale or other disposition of any of its assets; and
- General. (m) without being limited by the foregoing, generally with respect to any other matter in any way affecting or pertaining to its affairs and their administration.

Powers of board with respect to debt.

33. Where a municipality has become subject to this Part the board, with respect to the debenture debt and debentures of the municipality and interest thereon and with respect to any other indebtedness thereof, shall have power to authorize and order,—

- (a) consolidation of the whole or any portion thereof;
- (b) issue of debentures in payment and satisfaction of the whole or any portion of such other indebtedness or any portion or portions thereof, and compulsory acceptance of such debentures in payment and satisfaction thereof;
- (c) issue of new debentures to cover any such consolidation;

(d)

- (d) issue of new debentures in substitution and exchange for any outstanding debentures and compulsory acceptance thereof by the holders of such outstanding debentures;
- (e) retirement and cancellation of the whole or any portion of the existing debenture debt and outstanding debentures, upon the issue of new debentures to cover the same or in exchange therefor;
- (f) terms, conditions, places and times for exchange of new debentures for outstanding debentures;
- (g) postponement of or variation in the terms, times and places for payment of the whole or any portion of the debenture debt and outstanding debentures and other indebtedness and interest thereon and variation in the rates of such interest;
- (h) cancellation, increase, decrease or other variation in the levy and collection of any assessment, rate or taxation, rent or charge imposed to meet, pay and discharge any debenture debt, debentures, or other indebtedness, and interest thereon, and to vary the basis, terms and times of payment thereof;
- (i) creation and setting aside of sinking funds and special reserves out of any portion of the revenues of the municipality for meeting, paying and discharging its debenture debt, debentures, or other indebtedness or any portion thereof or interest thereon;
- (j) custody, management, investment and application of sinking funds, reserves and surpluses;
- (k) ratification and confirmation of any agreement, arrangement or compromise entered into with its creditors or any of them respecting its debenture debt, debentures or other indebtedness or any portion thereof and interest thereon;
- (l) any variation, amendment or cancellation of any order made by it under this section or of the terms of any agreement, arrangement or compromise ratified and confirmed by it under this section.

34. The board upon the application of the separate school board of a municipality which has been made subject to this Part or of the separate school board of any other municipality

where

where such board has been made subject to this Part, although the municipality itself has not been made so subject, shall have power to make orders under and in accordance with the provisions of section 33 with respect to the debenture debt, debentures and other indebtedness of the separate school board and interest thereon.

Notice of
intention to
exercise
powers to be
published in
*Ontario
Gazette*.

35.—(1) Where the board upon application to it by the department or the council or a separate school board or any of the creditors of the municipality intends to exercise any of the powers conferred on the board under section 33 or 34, it shall, before so doing, give or direct that there be given notice of such intention in the *Ontario Gazette* and by such other publication and to such persons and in such manner as to the board may seem proper, and such notice shall state the time and place when the matter is to be dealt with by the board, which time shall be not less than three months after the notice is published in the *Ontario Gazette*.

Subsection 1
not to apply
to matters
incidental to
exercise of
powers

(2) The provisions of subsection 1 shall not apply with respect to any matter which is merely incidental to the exercise of any of said powers.

Objection
to be filed
with board.

(3) The board shall not make any order under section 33 if objection in writing to the making of such order is filed with the board by creditors representing not less than one-third in amount of the aggregate of the indebtedness of the municipality or separate school board including therein debenture indebtedness, but excluding therefrom indebtedness in respect of which the municipality or separate school board is not directly but only contingently or collaterally liable.

Approval by
creditors.

(4) If creditors representing not less than two-thirds in amount of the aggregate of the indebtedness of the municipality or separate school board including therein debenture indebtedness but excluding therefrom indebtedness in respect of which the municipality or separate school board is not directly but only contingently or collaterally liable, have in writing filed with the board their approval of the making of any order of the board under section 33, it shall not be necessary that any notice be given under subsection 1 of the intention of the board to exercise its power to make such order, and in such case the provisions of subsection 3 shall not apply.

Debenture
debt not to
form part of
debt after
order of
board.

36. After an order of the board has been made under section 33 no portion of the debenture debt of the corporation represented by debentures ordered to be cancelled, retired or exchanged shall form part of its debt within the meaning of any Act limiting its borrowing powers.

37. The municipality may, with the approval of the department, enter into agreements with any person with whom the municipality has previously entered into any agreement, contract or obligation which or some term, provision or obligation of which remains in whole or in part or in any manner to be observed, performed or carried out by the municipality, for the variation, amendment or cancellation of any such subsisting agreement, contract or obligation.

Department may arrange to vary or cancel subsisting agreements.

38.—(1) The municipality shall not, under the provisions of any special or general Act, exercise or be required to exercise any of its powers if such exercise will or may require money to be provided by the issue of debentures of the corporation, without the approval of the department first being obtained.

Department to approve debenture issues.

(2) The municipality may, with the approval of the department pass by-laws providing for the issue of debentures and to authorize the hypothecation or sale thereof, but no such by-law shall have any force and effect until approved by the department.

Approval of debenture by-laws.

39. It shall not be necessary that the assent of the electors of the municipality or of those thereof qualified to vote on money by-laws be obtained with respect to any by-law of the municipality or the issue thereunder of any debentures if such by-law is approved by the department.

Assent of electors not requisite.

40. The department shall have full charge and control over all moneys belonging to the municipality and received by any person for or on its behalf and such moneys shall be deposited in a chartered bank to be designated by the municipality and when so deposited shall only be applied, used, transferred and withdrawn for such purpose in such manner and at such time or times as the department may approve and direct, and all cheques drawn and issued by the municipality shall be signed and countersigned by such persons and in such manner as the department may authorize and no moneys belonging to or revenues of the municipality may be appropriated, applied, paid, used, transferred or withdrawn by any person except with the approval of or otherwise than directed by the department.

Department to have control over moneys and their application.

41.—(1) Notwithstanding the provisions of any general or special Act or of any by-law of the municipality, only such rates, assessments, or amounts shall be imposed, rated, levied or directed so to be upon the rateable property within the municipality or upon any part thereof as the department approves and directs.

Approval of department necessary to levy rate.

(2) Nothing in this Part contained shall relieve a municipality from the obligation to ultimately provide and pay to

County rates to be provided as department may direct.

the

the county of which it forms or has formed part, the amounts of all county rates heretofore or hereafter directed to be levied by the county in such municipality with interest thereon at such rate as the county may have been obliged to pay upon any money borrowed by it upon debentures or otherwise until payment is made, and the payment of the said amounts with interest shall be made as and when the department may direct.

Settlement
of county
rates.

(3) The council of a county by a vote of two-thirds of all the members thereof may accept in full settlement and payment of the county rates owing by any municipality subject to this Part less than the whole amount thereof.

Court of
revision.

Rev. Stat.,
c. 208.

42. Notwithstanding anything in *The Assessment Act* contained, the court of revision for the municipality shall consist of three members to be appointed annually by the council with the approval of the department and the members need not necessarily be members of the council.

Return of
collector's
roll

43. The collector shall return his roll to the treasurer on or before such day in the year next following the year in which he received it as the department may direct.

Vesting of
vacant lands
in arrears
for taxes.

44.—(1) Where any part of the taxes on any vacant land within the municipality remains unpaid on the 31st day of December in the year next following that in which the taxes were levied, such vacant land shall be vested in and become the property of the municipality upon registration by the treasurer of a tax arrears certificate, subject to the right of redemption hereinafter provided and to the provisions of subsection 5.

Vesting of
improved
lands in
arrears for
taxes.

(2) Where any part of the taxes on improved land within the municipality remains unpaid on the 1st day of January in the third year following that in which the taxes were levied, such improved land shall be vested in and become the property of the municipality upon registration by the treasurer of a tax arrears certificate, subject to the right of redemption hereinafter provided and to the provisions of subsection 5.

Registration
of tax arrears
certificate.

(3) The treasurer, with respect to vacant land upon which any part of the taxes remain unpaid after the time mentioned in subsection 1 and with respect to improved land upon which any part of the taxes remains unpaid after the time mentioned in subsection 2, may register in the registry office a certificate to be known as a tax arrears certificate, Form 1 to this Act, setting forth therein a description of such vacant land or improved land, as the case may be, and the

amount of such unpaid taxes, with the amount of all penalties, interest and costs added thereto, and thereupon the land described in the certificate shall be vested in and become the property of the municipality, its successors and assigns, in fee simple or otherwise according to the nature of the estate, right, title and interest whatsoever of the owners thereof at the time of such vesting, and clear of and free from all such estate, right, title and interest, and all charges and encumbrances thereon and dower therein, subject only to the said right of redemption hereinafter provided and to the provisions of subsection 5.

(4) Immediately upon registration of a tax arrears certificate, the treasurer shall cause to be sent by registered mail to the last known address of the assessed owner of the land therein described and to all persons appearing by the records of the registry office to have an interest therein a written notice, Form 2 to this Act, of the registration of such certificate and of the last day for redemption of such land.

Notice of
registration
of
certificate.

(5) Where the Crown, whether as represented by the government of Canada or the government of the Province of Ontario, has any interest in any land in respect of which taxes are in arrear, the interest only of the persons other than the Crown therein shall be vested in the municipality by the registration of a tax arrears certificate, and where such interest is that of a lessee, licensee or locatee, such vesting shall be valid without requiring the consent of the Minister of Lands and Forests.

Interest of
Crown not
affected.

(6) The treasurer shall not register or cause to be registered any such certificates until authorized so to do by the department, and any such authority may be general or special in its terms and shall not be required to be registered or referred to in any certificate which is registered.

Department
to approve
registration.

45. The owner of or any person appearing by the records of the registry office to have an interest in any vacant land or improved land in respect of which a tax arrears certificate has been registered may redeem the same at any time within one year after the date of registration of the certificate by paying to the corporation the amount set forth in such certificate in respect of the land to be redeemed, together with the amount of all expenses incurred by the corporation and the treasurer in registering the certificates and for searches and postage and \$1 for each certificate and for each notice sent under subsection 4 of section 44, and also by paying to the corporation all taxes including the local improvement rates and interest thereon which would have accrued against the land if it had remained the property of the former

Right of
redemption.

owner and had been liable for ordinary taxation and if the value thereof is not shown upon the assessment roll, such taxes shall be computed at the rate fixed by by-law for each year for which such taxes are payable upon the value placed thereon upon the assessment roll for the last preceding year in which it was assessed and the local improvement rates shall be computed at the rate fixed in the by-law by which the same were rated or imposed and upon the frontage as shown upon the list of properties and the frontages thereof as settled by the court of revision for such local improvement, and a certificate of the treasurer as to the total amount payable in order to redeem the land shall be final and conclusive.

Registration
of
redemption
certificate.

(2) Upon redemption being made under this section, the treasurer shall forthwith register in the registry office a certificate to be known as a redemption certificate, Form 3 to this Act, setting forth therein a description of the land redeemed, and a redemption certificate shall, subject to subsection 3, when registered, be as valid and effective in law as a conveyance of the land described therein to the registered owner at the time of registration of the tax arrears certificate, his heirs or assigns, of the original estate of such registered owner and a valid and effectual cancellation of the tax arrears certificate registered with respect to such land.

Lien on
redemption
by other
than owner.

(3) If land is redeemed by any person entitled to redeem the same other than the owner such person shall have a lien upon the owner's interest therein for the amount paid to redeem the said land.

Duty of
registrar.

46.—(1) Every certificate registered under sections 44 and 45 shall be entered by the registrar in the registry book in its proper order and in the proper abstract index provided under *The Registry Act*.

Fees of
registrar.

(2) The registrar shall be entitled to the following fees for registration of a certificate under sections 44 and 45 and for searches made for the corporation for the purposes of section 44 and no others:

- (a) For registering a tax arrears certificate, \$2;
- (b) For registering a redemption or vacating certificate, 50 cents;
- (c) If either certificate embraces more than one parcel of land, for each additional parcel over one, 5 cents;
- (d) For each search made for the corporation for the purposes of section 44 five cents for each lot

searched

searched, but in no case to be more than \$5 for a search in respect of the lands described in any one tax arrears certificate.

(3) No tax shall be payable under the provisions of *The Land Transfer Tax Act* on registration of any tax arrears or redemption certificate or vacating certificate. Land transfer tax not payable. Rev. Stat., c. 31.

47. Where lands to which section 44 applies are registered in a land titles office, the certificates which may be registered under the provisions of sections 44, 45 and 46 shall be registered in the proper land titles office and the provisions of the said sections 44, 45 and 46 shall, *mutatis mutandis*, apply to lands entered in a land titles office. Registration of certificates.

48.—(1) Control over all lands which become the property of the corporation of a municipality by virtue of section 44 and are not redeemed and of their use, occupation, renting, leasing, sale or other disposition shall on behalf of the corporation in which they are vested, be exercised by the department and all proceeds derived from the use, occupation, renting, leasing, sale or other disposition of any of the said lands shall be under the control and direction of the department Department to control such lands.

(2) Where under the provisions of this Part a tax arrears certificate has been registered with respect to any land and it is subsequently ascertained that the same was registered by mistake or that lands have erroneously been included therein, or where an agreement for composition and payment of the arrears of taxes for which the certificate was registered has been entered into under section 50 within two years after registration of such certificate the department may direct the treasurer of the corporation to register a certificate to be known as a vacating certificate, Form 4 to this Act, setting forth therein a description of the land wherein the title of the corporation is to be vacated, and such vacating certificate shall, when registered, be as valid and effective in law as a conveyance of the land described therein to the registered owner at the time of registration of the tax arrears certificate, his heirs or assigns, of the original estate of such registered owner; provided however that the registration of any vacating certificate shall not in any way cancel or affect taxes or arrears of taxes, if any, which may be due upon the land described therein. Department to control proceeds from such lands.

(3) The department may require the council of a municipality subject to this Part to make application to the judge of the county or district court for the purposes mentioned in section 86 of *The Registry Act*. Vacating certificates

Cancellation of plans.
Rev. Stat.,
c. 155.

Application
to City of
Windsor.

1932, c. 95.

(4) The provisions of this section shall apply to all lands acquired by the corporation of the city of Windsor under section 3 of *The City of Windsor Act, 1932*.

Right of
appeal of
department,
Rev. Stat.,
c. 238.

49.—(1) The department shall have the same right of appeal as any person assessed has under subsection 3 of section 72 of *The Assessment Act* with respect to the assessment roll of the municipality, and shall have in addition the rights of appeal conferred by this section.

(2) An appeal by the department under this section may be made at any time within twenty days after the return of the roll and such appeal may be with respect to any particular assessment or omission to assess or generally with respect to all of the assessments included in the roll or any area of the municipality described in the notice of appeal or generally with respect to assessments of land only or buildings only or income or business included in the roll or in any area of the municipality defined in the notice of appeal.

(3) The department shall have the same right of appeal from any decision of the court of revision or county judge as a person assessed has under *The Assessment Act*.

(4) Save as provided in subsection 2, in any appeal against a particular assessment by the department the practice and procedure thereon shall be the same as in the case of an appeal by a person assessed.

Practice and
procedure in
general
appeal.

(5) In any general appeal by the department under the authority of this section the practice and procedure shall be determined by the court of revision, county judge or the board, as the case may be, and such notice or notices of the appeal shall be given by publication or otherwise as may be determined by the court, judge or board and upon the hearing of any such general appeal the court, judge or board shall have jurisdiction to review any or all of the assessments included in the roll as may be necessary to determine the appeal and may make any changes, alterations and amendments therein, and also to direct the making of a new assessment roll in accordance with the terms of the order of the court, judge or board.

Compromise
of tax
arrears.

50.—(1) The department may authorize a compromise of tax arrears to be entered into between the corporation and any ratepayer and in such compromise may provide for an extension of the time of payment of such arrears and a reduction of the amount thereof and acceptance of any debentures or debenture coupons of the corporation in satisfaction of the whole or part thereof.

(2) Where a compromise of tax arrears has been entered into under this section and an extension of the time payment thereof agreed upon, such tax arrears shall be and remain a special lien upon the land in respect to which they are payable in priority over all claims, liens, privileges and encumbrances thereon, except claims of the Crown, and the liens, priorities and other rights with respect thereto provided for in *The Assessment Act* shall continue to apply thereto and to the collection and enforcement thereof, except that the treasurer and collector of taxes of the municipality without thereby waiving the statutory rights and powers of the municipality or of themselves shall not enforce collection of such tax arrears during the time the agreement is in force.

Lien for
taxes not
affected

51. Any agreement entered into in accordance with the provisions of this Part shall be binding upon and enure to the benefit of the parties thereto and all persons over whom the Legislature of this province has legislative authority.

Effect of
agreements.

52. The housing commission may with the approval of the department, amend the terms of any agreement for sale of property heretofore or hereafter entered into by it, and with respect to property sold under any agreement which has been cancelled or determined may enter into new agreements for sale thereof, and the terms of any such amended or new agreement may be such as the department may approve.

Power of
housing
commission
to amend
agreements.

53. The jurisdiction and powers of a municipality subject to this Part exercisable under the provisions of any general or special Act shall only be exercised in accordance with and subject to the provisions of this Part and of any order of the department or the board made, or agreement entered into thereunder.

Exercise of
municipal
jurisdiction
subject to
this Part.

54.—(1) The department or the board shall have exclusive jurisdiction as to all matters arising under this Part or out of the exercise by the municipality or any other person of any of the powers conferred by this Part, and such jurisdiction shall not be open to question or review in any action or proceeding or by any court.

Exclusive
jurisdiction
of board and
department.

(2) The department or the board may at any time of its own initiative or upon application made to it review any order, direction or decision made by it and confirm, amend, vary or revoke the same.

Depart-
ment's
directions
subject to
review by
board.

(3) Any order made or approval given by the department or the board under this Part shall, subject to the right of the board or the department to review and amend or revoke the same, be final and conclusive and not open to question in any court.

Orders to be
final.

Board's
jurisdiction.

(4) The board only shall have and exercise exclusive jurisdiction to make any order under the provisions of sections 25, 26, 33, 34, 35 and 61, and otherwise shall have jurisdiction only with respect to appeals to it under the provisions of section 28.

Depart-
ment's
jurisdiction.

(5) Except as provided by sections 25, 26, 28, 33, 34, 35 and 61, and by subsection 4 of this section, the department only shall have and may exercise exclusive jurisdiction with respect to all matters provided for in this Part.

Powers of
board and
department.

55. The department or the board may make such orders and prescribe such forms from time to time as it may deem necessary to carry out the provisions of this Part or any agreement made in pursuance thereof and make rules and regulations in respect of applications, matters and things under this Part.

Forms of
certificates,
notices, etc.

56. Every certificate, notice or other form which is in substantial conformity with the form thereof required by the provisions of this Part or prescribed by the department or the board, shall not be open to objection on the ground that it is not in the form required by the provisions of this Part or as prescribed by the department or the board.

Powers
exercisable
for and in
name of
muni-
cipality.

57. Where a municipality has become subject to this Part, all acts, deeds, matters and things done, made or performed by or for the board or by or for the department under this Part, in relation to the affairs of such municipality shall for all purposes be deemed to have been made, done and performed by and for the municipality and in its name.

Board and
department
to have
access to all
books and
records.

58. The board and the department shall have access at all times to all books, records, papers and documents of the municipality and of every local board, including but without limiting the generality of the foregoing, all assessment rolls, collectors' rolls, by-laws, minute books, books of account, vouchers, and other records; papers and documents relating to its and their financial transactions, and may inspect examine, audit and copy the same or any part thereof.

Powers
to enforce
orders.

59.—(1) Where a municipality has become subject to this Part, and its council or any local board fails, neglects or refuses to comply with any order, direction or decision of the board or the department, the board or the department may, upon such notice, if any, as it may prescribe, do or order done all acts, deeds, matters and things necessary for compliance with such order or direction, and may exercise all the powers of the council or local board for such purpose and under its or their name and seal.

(2) The council of the municipality and every local board thereof, and every one of its or their members, officers, employees and servants shall comply with the orders, directions and decisions of the board or the department in any matter relating to the administration of the affairs of such municipality or local board and, any such person who knowingly or wilfully fails, neglects or refuses to observe and comply with any such order, direction or decision, or who, as a member of the council or local board, votes contrary thereto shall incur a penalty of not less than \$25 and not more than \$500 for each offence, recoverable under *The Summary Convictions Act*, and any penalty so recovered shall belong to the general funds of the municipality.

Liability of members of council and local boards for non-compliance with orders and directions.

Rev. Stat., c. 121.

(3) If a municipality subject to this Part applies any of its funds otherwise than as ordered or authorized by the board or the department, the members of the council or local board who vote for such application shall be jointly and severally liable for the amount so applied, and the same may be recovered in any court of competent jurisdiction, and such members shall also be disqualified from holding any municipal office for five years.

Personal liability and disqualification of members of council and local boards.

60. The department may dismiss from office any officer, employee or servant of a municipality who fails, neglects or refuses to carry out any order, direction or decision of the board or the department.

Dismisal of municipal officers for non-compliance with orders and directions.

61. The board may by injunction proceedings instituted in its own name prevent or stop the exercise by or for a municipality of any of its powers which have not been approved by the board or the department, when such approval is required under this Part.

Injunction against exercise of municipal powers when not approved.

62. The department may direct that any two or more of the offices of the municipality shall be combined and held by the same officer, and may subsequently separate any of the offices so combined.

Department may combine municipal offices.

63.—(1) The department may direct payment of such fees, or remuneration and travelling and other expenses reasonably incurred by the department as it may determine.

Expenses of department.

(2) The department may appoint some person who may be an officer of the municipality to exercise such powers and duties as the department may provide, and the person so appointed shall be paid such salary and allowed such travelling and other expenses as the department may determine.

Department's officer.

(3) The department in determining the salaries to be paid to any person appointed by it under subsection 2 shall give consideration

Council may be heard as to salaries.

consideration to such representations with respect thereto as the council may at any time make.

Salaries and expenses to be paid by municipality.

(4) All salaries, fees, remuneration, travelling and other expenses payable under this section and all other expenses incurred by the board or the department in the carrying out the provisions of this Part or in the exercise of their powers thereunder shall be paid by the municipality or local board, as the case may be, and be chargeable to such of its accounts as the department may direct.

Provisions of this Act to prevail.

64. The powers contained in this Part shall be deemed to be in addition to and not in derogation of any power of the board, department or municipality under this or any other Act, but where the provisions of any general or special Act or any other Part of this Act conflict with the provisions of this Part, the latter shall prevail.

Board may end application of this Part.

65. Where the department is of opinion that the affairs of a municipality no longer require to be administered under this Part the board may make an order directing that on, from and after a date fixed thereby the provisions of this Part shall no longer apply to the municipality and on, from and after such date the board and the department shall cease to exercise jurisdiction and control over the municipality under this Part.

Certain municipalities and local boards subject to this Part.

66. Subject to the provisions of *The City of Windsor (Amalgamation) Act, 1935*, the municipalities and local boards heretofore declared subject to the provisions of Part VI of *The Ontario Municipal Board Act, 1932*, shall be and remain subject to the provisions of this Part and to the jurisdiction and control of the board and the department as provided for in this Part.

PART IV

Commencement of Act.

67. This Act shall come into force on the day upon which it receives the Royal Assent.

FORM 1

TAX ARREARS CERTIFICATE

To the Registrar of the Registry Division of the.....of.....

I HEREBY CERTIFY by virtue of *The Department of Municipal Affairs Act, 1935*, section 44, that the lands hereinafter described, by reason of certain taxes thereon remaining unpaid for the period mentioned in said section are hereby vested in and have become the property of theof.....(naming the municipality).

Description of Lands	Amount of Unpaid Taxes with Penalties, Interest and Costs	Whether Vacant or Improved Land

The period within which the right of redemption may be exercised under the said Act with respect to the above described land is one (1) year from the date of registration of this certificate.

Dated at.....this.....day of....., 19 ..

.....
Treasurer.

FORM 2

NOTICE OF REGISTRATION OF TAX ARREARS CERTIFICATE

TAKE NOTICE that by virtue of *The Department of Municipal Affairs Act, 1935*, section 44, a tax arrears certificate has been registered against the following lands, namely:

.....
.....

and by reason thereof the same are vested in and have become the property of the corporation of the.....of.....(naming the municipality) subject only to your right of redemption of the same on or before the..... day of....., 19 .., which is the last day for redemption.

Dated at.....this.....day of....., 19 ..

.....
Treasurer.

FORM 3
REDEMPTION CERTIFICATE

To the Registrar of the Registry Division of the.....of.....

I HEREBY CERTIFY that the lands hereunder described have been redeemed by.....under the provisions of *The Department of Municipal Affairs Act, 1935.*

Description of Lands

.....
.....

Take notice that where land is redeemed by any person entitled to redeem the same other than the owner, such person has a lien upon the owner's interest therein for the amount paid to redeem said land.

Dated at.....this.....day of....., 19 .

.....
Treasurer.

FORM 4
VACATING CERTIFICATE

To the Registrar of the Registry Division of the.....of.....

I HEREBY CERTIFY that the title of the corporation of theof.....to the lands hereunder described is hereby vacated by the said corporation under the provisions of *The Department of Municipal Affairs Act, 1935.*

Description of Lands

.....
.....

Dated at.....this.....day of....., 19 .

.....
Treasurer.

CHAPTER 17.

An Act to amend The Dependants'
Relief Act, 1929.*Assented to April 18th, 1935.*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Dependants' Relief Amendment Act, 1935*. Short title.

2. Subsection 2 of section 5 of *The Dependants' Relief Act*, 1929, c. 47, s. 5, subs. 2, as amended by section 3 of *The Dependants' Relief Act*, 1930, c. 35, s. 3) (1930, c. 35, s. 3) re-enacted. 1930 is repealed and the following substituted therefor:

- (2) Where letters probate have been or are applied for by the wife or husband of the testator or a guardian on behalf of minor dependants, an application under this section for an allowance for such wife or husband, or for such minor dependants shall be made at the time of applying for letters probate and in every other case the application shall be made within three months after the death of the testator, but the judge, if he deems it just, may allow an application to be made at any time as to any portion of the estate remaining undistributed at the date of the application. When application to be made.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 18.

An Act to amend The Deserted Wives' and Children's Maintenance Act.

Assented to March 27th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Deserted Wives' and Children's Maintenance Amendment Act, 1935.*

Rev. Stat.,
c. 184, s. 1,
subs. 1,
re-enacted. **2.—(1)** Subsection 1 of section 1 of *The Deserted Wives' and Children's Maintenance Act* as amended by subsection 1 of section 2 of *The Deserted Wives' and Children's Maintenance Act, 1934*, is repealed and the following substituted therefor:

Order for
maintenance
of wife. (1) Where a wife has been deserted by her husband an information may be laid before a justice of the peace and such justice of the peace may issue a summons against the husband in accordance with the form in the schedule to this Act and if upon the hearing before a magistrate, it appears that the husband has deserted his wife without having made adequate provision for her maintenance and the maintenance of his children residing with her and that he is able to maintain them in whole or in part and neglects or refuses so to do, the magistrate may order him to pay such weekly sum as may be deemed proper, having regard to all the circumstances and such order may be in the form given in the schedule to this Act.

Rev. Stat.,
c. 184, s. 1,
subs. 2,
re-enacted. (2) Subsection 2 of the said section 1, as amended by subsection 2 of section 2 of *The Deserted Wives' and Children's Maintenance Act, 1934*, is repealed and the following substituted therefor:

Desertion
of wife. (2) A married woman shall be deemed to have been deserted within the meaning of this section when she is living apart from her husband because of his acts of cruelty, or of his refusal or neglect, without sufficient cause, to supply her with food and other neces-

saries when able so to do, or of the husband having been guilty of adultery which has not been condoned and which is duly proved, notwithstanding the existence of a separation agreement, providing there has been default thereunder and whether or not the separation agreement contains express provisions excluding the operation of this Act.

3. Clause *c* of subsection 2 of section 8 of *The Deserted Wives' and Children's Maintenance Act* is amended by inserting after the word "order" in the sixth line the words "or such lesser sums as the judge may see fit to designate" so that the said clause shall now read as follows:

Rev. Stat.,
c. 184, s. 8,
subs. 2, cl. c,
amended.

- (c) may, when a warrant has been issued, or where the person in default fails to satisfy the magistrate that such default is due to inability to pay, order and adjudge such person to be imprisoned for a term not exceeding three months unless the sums of money payable under the order, or such lesser sums as the judge may see fit to designate, are sooner paid.

Enforcement
of order by
imprison-
ment.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

CHAPTER 19.

An Act respecting the Guardianship of the
Dionne Quintuplets.*Assented to March 27th, 1935.*

Preamble.

WHEREAS having regard to the special and unique circumstances touching the birth and survival of the quintuplet infant daughters of Oliva Dionne and Elzire Dionne, his wife, and for the better protection of their persons and estates and of their advancement, education and welfare it is in the interests of the said children and in the public interest that a special guardianship be created.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Dionne Quintuplet Guardianship Act, 1935.*

Dionne
quintuplets
to be
special
wards of
the Crown.

2. Yvonne Dionne, Annette Dionne, Marie Dionne, Cecile Dionne and Emelie Dionne, the quintuplet infant daughters of Oliva Dionne and Elzire Dionne, his wife, residing at or near Callander, in the Province of Ontario, and who were born on or about the 29th day of May, 1934, are and each of them is hereby declared to be the special ward and wards of His Majesty the King, represented therein by the Minister of Public Welfare for Ontario, and in respect to their persons and estates to be subject to the provisions of this Act.

Minister
of Public
Welfare
to be
special
guardian.

3.—(1) The Minister of Public Welfare for Ontario is constituted and shall be the Special Guardian of and for the said children and each of them and of the person and estate of each of them respectively.

Authority
to appoint
active
guardians.

(2) The Lieutenant-Governor in Council upon the recommendation of the said Minister may appoint any person or persons as guardian or guardians of the persons and estates of the said children, and such person or persons upon their appointment shall with the said Oliva Dionne, the father and natural guardian, be the active guardians of the persons and estates of the said children and of each of them, subject however to the jurisdiction and direction of the said Minister;

and

and the powers, rights and duties of the active guardians shall be as prescribed by the Lieutenant-Governor in Council or in the absence of any such prescription as may be authorized by the said Minister.

(3) The Minister may at any time suspend the guardianship of any guardian or guardians appointed pursuant to subsection 2, and thereupon and during the period of such suspension all the rights, powers and privileges of the guardian or guardians so suspended shall cease and not be exercised or acted upon.

Suspension of guardians.

(4) The Lieutenant-Governor in Council, upon the recommendation of the said Minister, may at any time revoke the appointment of any guardian or guardians appointed pursuant to subsection 2, and may designate and appoint any other person or persons in his or their place and stead.

Revocation of guardianship, appointments and substitutional appointments.

(5) The said active guardians may act by a majority of them, notwithstanding the absence, illness, vacancy in office or refusal to act or concur of the other or others of such active guardians.

Guardians may act by a majority.

(6) The active guardians shall be continuing guardians, notwithstanding the death of any of them or the appointment of any new guardian in the place and stead of any former guardian.

Guardians a continuing body.

4.—(1) Subject to the provisions of this Act and of any Order-in-Council passed pursuant hereto, the said Minister may by writing signed by him, enter into, execute, and perform or cause or authorize the said active guardians to enter into, execute and perform any contract, arrangement, engagement or obligation of any and every nature whatsoever for and with respect to the estates of the said quintuplet children and each of them or for or on their behalf and which to the said Minister may in his discretion seem desirable and in their interest for their advancement, welfare and protection.

Authorization of contracts.

(2) No person other than the Minister or the said active guardians, shall enter into any contract, arrangement, engagement or obligation with respect to the said children, or any of them or as to their persons or estates, and every contract, arrangement, engagement and obligation entered into without such consent and approval shall be null and void and incapable of performance and may not be sued upon in any Court.

Unauthorized contracts to be void.

5.—(1) Nothing in section 4 contained shall in any way void or affect the validity or prevent the due carrying out and performance of any contract, arrangement, engagement or obligation heretofore entered into in writing under the hands

Existing contracts of former guardians to continue.

of William Herbert Alderson, Oliva Dionne, George Kenneth Morrison and Allan Roy Dafoe (or their lawful attorney or attorneys) as guardians heretofore appointed of the estates of the said children, but the same and every of them shall continue and remain in full force and effect according to their respective tenors, provided that all moneys hereafter payable under such contracts shall be payable to the Minister or upon the direction of the Minister to the said active guardians.

Previous
unauthor-
ized
contracts
to be void.

(2) Every contract, arrangement, engagement and obligation heretofore made or entered into by any person whatsoever relating to the said children or any of them, or to their persons or estates, which prior to the time of the passing of this Act had not been ratified, adopted or accepted in writing by the said guardians named in this section, shall be null and void and incapable of performance and may not be sued upon in any Court, and no suit or proceeding against any person in respect thereto or for damages arising by reason of the non-performance of the same heretofore instituted and now pending may be proceeded with.

Estates of
quintuplets
vested in
the Minister.

6.—(1) All the estates of the said children and of each of them and the properties, moneys, funds, assets, rights, claims, choses in action, and other rights, matters and things and the benefit and advantage of all contracts, arrangements, engagements and obligations in respect thereto and the right to possess, have, hold, demand, recover and sue upon the same are hereby vested in the said Minister, in trust for the said children and the survivors and survivor of them.

Transfer of
estates by
former
guardians.

(2) Forthwith after the passing of this Act the said guardians named in section 5 shall transfer and deliver or cause to be transferred and delivered to the said Minister, all properties, moneys, funds, assets, and things of whatsoever nature and kind which they or any of them have acquired, possess, have or hold for the benefit of or in trust for the said children or any of them.

Compensation to
former
guardians.

(3) The said guardians named in section 5 shall be entitled to such compensation for their care and trouble in and about the administration of their guardianship as may be allowed to them by the Surrogate Judge of the District Court for the District of Nipissing upon the passing of their accounts, and the amount of such compensation may be paid out of the estate of the said children.

Powers and
duties of
active
guardians.

(4) The said Minister may vest in the said active guardians such control, management and administration of the persons and estates of the said children and of the properties, funds, moneys and investments of the same with power to apply, use

and

and pay the capital and income thereof for the benefit and advantage of the said children as to the said Minister may from time to time appear necessary or desirable, and from and out of the capital or income of the said estate he may authorize the payment of such sum or sums of money to Oliva Dionne and Elzire Dionne, the parents of the said children, or to either of them, as he may from time to time direct.

7.—(1) Oliva Dionne, the father of the said children shall continue as the natural guardian and as one of the said active guardians of them and of their persons and estates, but by reason of the special and unique circumstances touching the birth and survival of such children, he shall as the natural and legal guardian of them and of their persons, be subject to the provisions of this Act and any Order-in-Council made hereunder, and to the jurisdiction and direction of the said Minister in all things and for all purposes in relation to the advancement, education, welfare and protection of the said children and each of them and as to their custody, residence, care and attention. Rights of father of quintuplets.

(2) Provided always that the said children and each of them shall be brought up and educated according to and in the religious belief and faith of the said Oliva Dionne. Religion of quintuplets.

8.—(1) Except as provided by this Act or as duly authorized by the said Minister or the said active guardians, no person whatsoever shall in any way possess or have the persons of the said children or any of them in his custody or control or in any way harbour them or take them from any custody, control or residence in which from time to time and at any time they may, with the authority of the said Minister or said active guardians, have been placed, and their residence, permanent or temporary, shall only be at such place as the said Minister or said active guardians may from time to time direct. Prohibitions as to persons of quintuplets.

9. Except and subject as in this Act is provided the provisions of *The Infants' Act* shall apply to the said children and each of them and to the guardianship of their persons and estates. Application of Rev. Stat., c. 186.

10. Nothing in this Act contained shall in any way interfere with or affect such professional or private and personal rights as Allan Roy Dafoe of Callander, M.D., may have in relation to the said children and his services for them; and the said Allan Roy Dafoe shall for his professional and other services be paid out of the estates of the said children such sums as the Minister or the said active guardians may from time to time authorize and direct. Rights of Allan R. Dafoe, M.D., protected.

Commence-
ment and
continuance
of Act

11. This Act shall come into force on the day upon which it receives the Royal Assent and shall remain in force and effect until the said children or the survivors or survivor of them shall attain the age of eighteen years unless sooner terminated by the Lieutenant-Governor by his Proclamation, in which case this Act shall cease to have force and effect from and after the date and to the extent named in such Proclamation.

CHAPTER 20.

An Act to amend The Division Courts Act.

Assented to March 27th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Division Courts Amendment Act, 1935*. Short title.
2. Section 4 of *The Division Courts Act* is repealed and the following substituted therefor: Rev. Stat.,
c. 95, s. 4,
re-enacted.
 4. There shall be not more than twelve division courts in any county. Number of
courts in
any county.
- 3.—(1) Subsection 1 of section 9 of *The Division Courts Act* is amended by adding the words “subject however to any direction which may be made by the Lieutenant-Governor in Council” after the word “courts” in the fifth line thereof. Rev. Stat.,
c. 95, s. 9,
subs. 1,
amended.
- (2) Subsection 2 of section 9 of *The Division Courts Act* is amended by striking out the words “If the judge of the county court, the sheriff and the inspector, or any two of them, certify” in the first and second lines and inserting in lieu thereof the words “Where it appears” so that the said subsection shall now read as follows: Rev. Stat.,
c. 95, s. 9,
subs. 2,
amended.
 - (2) Where it appears to the Lieutenant-Governor that, in any division of the county, it is expedient that the court should not be held so often as once in every two months, the Lieutenant-Governor in Council may order the court to be held at such periods as to him seems meet, but a court shall be held in the division at least once in every six months. Lieutenant-Governor
to regulate
holding
of courts.
4. Section 14 of *The Division Courts Act* is repealed and the following substituted therefor: Rev. Stat.,
c. 95, s. 14,
re-enacted.
 14. The Lieutenant-Governor in Council may appoint and alter the number and limits of the divisions and may number the divisions. Lieutenant-Governor to
determine
number and
limits of
divisions.

Rev. Stat.,
c. 95, s. 17,
subs. 2,
amended.

5.—(1) Subsection 2 of section 17 of *The Division Courts Act* is amended by striking out the words "subject to be thereafter altered by the board" in the fifth and sixth lines.

Rev. Stat.,
c. 95, s. 17,
subs. 4,
amended.

(2) Subsection 4 of the said section 17 is amended by striking out the word "board" in the third line and inserting in lieu thereof the word "inspector," and by striking out the words "at a meeting to be called for the purpose or at an adjourned meeting" in the fifth and sixth lines, so that the said subsection shall now read as follows:

Power of
inspector
as to regu-
lation of
limits on
separation
of a county.

- (4) If the Lieutenant-Governor does not by proclamation fix and determine the number and limits of the divisions for the new county, the inspector shall, within three months after the issuing of the proclamation for establishing the new county, appoint the number and limits of the divisions for the county and the time when such appointment shall take effect.

Rev. Stat.,
c. 95, s. 41,
subs. 1,
amended.

6. Subsection 1 of section 41 of *The Division Courts Act* is amended by striking out all the words after the word "orders" at the end of the second line and inserting in lieu thereof the words "of the Board of County Judges heretofore in force or as may hereafter be prescribed by the Lieutenant-Governor in Council" so that the said subsection shall now read as follows:

Clerk and
bailiff
to be paid
by fees.

- (1) The clerk and the bailiff shall be paid by fees as provided and allowed by the general rules or orders of the Board of County Judges heretofore in force or as may hereafter be prescribed by the Lieutenant-Governor in Council.

Rev. Stat.,
c. 95,
amended.

7. *The Division Courts Act* is amended by adding thereto the following section:

Rules to be
made by
Lieutenant-
Governor
in Council.

216a. The Lieutenant-Governor in Council may make rules for regulating any matter relating to the practice and procedure of the courts, or to the duties of the officers thereof, or to the costs of proceedings therein, and every other matter deemed expedient for better attaining the ends of justice, advancing the remedies of suitors and carrying into effect the provisions of this Act and of all other Acts now or hereafter in force respecting such courts.

Commence-
ment of
Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 21.

An Act to amend The Election Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Election Amendment Act*, Short title. 1935.

2.—(1) Clause *c* of subsection 2 of section 21 of *The Election Act* is repealed and the following substituted therefor: Rev. Stat., c. 8, s. 21, subs. 2, cl. (c), re-enacted.

(c) If she has become a British subject by the naturalization as a British subject of her parent while she was a minor, and has not become a subject of any foreign power or a citizen of any foreign state; When women to be deemed British subjects.

(d) If she is married to, or being a widow, is the widow of a British subject and since such marriage has not done any act to cause herself to become a subject of any foreign power or a citizen of any foreign state.

(2) The said section 21 is amended by adding thereto the following subsection: Rev. Stat., c. 8, s. 21, amended.

(2a) For the purposes of this section the statements of any person claiming to be a British subject shall be *prima facie* evidence of the facts stated. Evidence of facts.

3. Section 91 of *The Election Act* is amended by striking out the word and figures "(Forms 21-25)" at the end of the said section and inserting in lieu thereof the words and figures "of qualification (Forms 21-25) and the oath of allegiance (Form 3) or whichever is required to be taken," so that the said section shall now read as follows: Rev. Stat., c. 8, s. 91, amended.

91. Subject to the provisions of sections 84 and 92, the deputy returning officer shall not receive the vote of any person whose name is not entered on the polling list, but shall receive the vote of every person whose name is entered thereon, if such person, where Persons on polling list to be allowed to vote on taking oath if required.

required

required by a candidate, or his agent, or by the deputy returning officer, takes the oath of qualification (Forms 21-25) and the oath of allegiance (Form 3) or whichever is required to be taken.

Rev. Stat.,
c. 8, s. 92,
subs. 3,
amended.

4. Subsection 3 of section 92 of *The Election Act* is amended by inserting after the word "applicant" in the second line the words and figure "the oath of allegiance (Form 3) and," so that the said subsection shall now read as follows:

Voter
to take
oath.

- (3) The deputy returning officer shall then administer to the applicant the oath of allegiance (Form 3) and the proper oath to be administered to voters (Forms 21, 22 and 23) (leaving out paragraph 1 in this oath), and shall cause the applicant's name to be added to the polling list with the word "sworn" written thereafter.

Rev. Stat.,
c. 8, Forms
1, 3, 21, 22
and 25,
re-enacted.

5. Forms 1, 3, 21, 22 and 25 in the Schedule of Forms to *The Election Act* are repealed and the forms set out in the Schedule to this Act, substituted therefor.

Commence-
ment of
Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

FORM 1.

*(Referred to in Section 19).*AFFIDAVIT OF PERSON APPLYING TO BE ENTERED ON LIST AFTER CHANGE
OF RESIDENCE.

I, *(insert full Christian name and surname)* of the (city, town, village or township) of *(name of municipality)*, *(occupation)*, make oath and say *(or in the case of a voter entitled to affirm)*, solemnly affirm—

1. That I am of the full age of twenty-one years *(or I will be of the full age of twenty-one years on the* _____ *day of* _____ *, being the date fixed for holding the poll at this election).*

IN THE CASE OF A MALE VOTER.

2. That I am a British subject;

or

2. That I am a British subject by virtue of my naturalization before the 12th day of April, 1917;

or

2. That I am a British subject by virtue of my naturalization under *The Naturalization Act, 1914, (or under The Naturalization Act, 1918).*]

[IN THE CASE OF A FEMALE VOTER.

2. That I am a British subject by birth and am unmarried *(or am married to a British subject);*

or

2. That I am a British subject by virtue of my naturalization in my own right before the 12th day of April, 1917, *(or by virtue of my naturalization in my own right under The Naturalization Act, 1914, or under The Naturalization Act, 1918);*

or

2. That I am a British subject by virtue of the naturalization of my parent as a British subject while I was a minor and have not become a subject of any foreign power or citizen of any foreign state;

or

2. That I am married to *(or being a widow, I am the widow of)* a British subject and since my marriage to such British subject I have not done any act to cause myself to become a subject of any foreign power or a citizen of any foreign state.]

3. That I have resided within the Dominion of Canada since the _____ day of _____ *(naming a date twelve months prior to the date fixed for holding the poll).*

4. That I was a resident of and domiciled in *(state municipality from which removal took place)* and was entered on the last revised voters' list for that municipality *(or was entitled to be entered on the last revised voters' list for such municipality).*

5. That had I remained a resident of such municipality I would have been entitled to be entered on the voters' list and to vote at this election therein.

6. That on the day of (*insert date of removal*) I removed from the said municipality to this city, (town, village or township), and am now resident at (*insert street number, lot and concession of place of residence*), and that such removal took place in the pursuit of my ordinary profession (*or occupation or calling*) and not for the purpose of enabling me to vote at this election in this municipality.

[*Or, in the case of a person who has moved from one electoral district to another as a member of the family or household, of a person who has so moved in the pursuit of his ordinary occupation or calling or business.*]

6. That on the day of (*insert date of removal*) I moved from the said municipality to this city, (town, village or township) with C. D. as a member of his family or household being the wife (*or son or daughter or other relation or dependent, naming the relationship or connection*) of the said C. D., who moved as aforesaid in the pursuit of his ordinary profession (*or occupation or calling*) and not as I verily believe for the purpose of enabling him or the members of his family to vote at this election.]

7. That I am now a resident of and domiciled in this municipality.

8. That I am not disqualified from voting at this election under *The Election Act* or under *The Disqualification Act, 1919*, or otherwise by law prohibited from voting or from being entered upon the list.

9. That I have not received anything nor has anything been promised to me, directly or indirectly, to induce me to vote at this election or for loss of time, travelling expenses, hire of conveyance or any service whatever connected with this election.

10. And that I have not directly or indirectly paid or promised anything to any person to induce him to vote or refrain from voting at this election.

Sworn (*or affirmed*) before me

at

this day of 19 .

C.D.,
Commissioner, etc.

A. B.
(*Signature of applicant*).

FORM 3.

(*Referred to in Sections 91 and 92*).

FORM OF OATH OF ALLEGIANCE.

You swear (*a*) that you will be faithful and bear true allegiance to His Majesty, King George the Fifth (*or the reigning Sovereign for the time being*) as lawful Sovereign of Great Britain, Ireland and the Dominions beyond the Seas, and that you will defend Him to the utmost of your power against all traitorous conspiracies or attempts whatever which may be made against His Person, Crown and Dignity, and that you will do your utmost endeavour to disclose and make known to His Majesty, His Heirs or Successors, all treasons or traitorous conspiracies and attempts which you may know to be against Him or any of them; And all this you do swear without any equivocation, mental evasion or secret reservation; So help you God.

NOTE.—(*a*) If the voter is a person who may by law affirm in civil cases then for "swear" substitute "solemnly affirm."

FORM 21.

(Referred to in Sections 91 and 92).

FORM OF OATH TO BE ADMINISTERED TO MALE VOTER QUALIFIED UNDER
SECTION 18, PARAGRAPH 1.

You swear (a)

1. That you are the person named by the name of
in the polling list now shown to you (or where a voter votes under a certificate
given under section 83 of *The Election Act*), that you are the person named
in the certificate now shown to you;

2. That you are of the full age of twenty-one years;

3. That you are a British subject by birth,—

or, at the option of the voter.

3. That you are a British subject by virtue of your naturalization before
the 12th day of April, 1917 (or by virtue of your naturalization under *The*
Naturalization Act, 1914, or under *The Naturalization Act, 1918*).

4. That you are not a citizen or subject of any foreign country.

5. That you have resided within the Dominion of Canada for the
twelve months last past. (b).

6. That you were resident in this electoral district at the date of the
issue of the writ of election and have resided continuously since that
date—(b)—and now are actually resident and domiciled therein.

(This to be used in cities, separated towns or townships to which
Part IIIA of *The Voters Lists Act* applies).

(or, at the option of the voter).

6. That you have resided in this municipality continuously for two
months next preceding the day of polling—(b)—and are now actually
resident and domiciled therein.

(This applies to all electoral districts to which Part IIIA of *The Voters'*
Lists Act does not apply).

(or, at the option of the voter).

6. That you are the person named in the certificate now produced
by you and issued under section 19 of *The Election Act* and have been
since the issue of the said certificate and are now actually resident and
domiciled in this electoral district.

(This to be used in the case of a voter who is the holder of a certificate
issued under section 19).

7. That you are not disqualified from voting at this election, and are
entitled to vote at this election and at this polling place.

8. That you have not voted before at this election at this or any other
polling place.

9. That you have not received anything nor has anything been promised
you, directly, or indirectly, to induce you to vote at this election or for loss
of time, travelling expenses, hire of conveyance or any service whatever
connected with this election.

10. That you have not directly or indirectly paid or promised anything to any person to induce him to vote or refrain from voting at this election. So help you God.

NOTE.—(a) If the voter is a person who may by law affirm in civil cases then for "swear" substitute "solemnly affirm."

(b) In case the voter has been temporarily absent, insert the following words "except occasionally or temporarily, or as a member of a permanent militia corps enlisted for continuous service, or on service as a member of the active militia, or as a student in attendance at an institution of learning in the Dominion of Canada, that is to say (*here name institution*) as the case may be.

FORM 22.

(Referred to in Sections 91 and 92).

FORM OF OATH TO BE ADMINISTERED TO FEMALE VOTER QUALIFIED UNDER SECTION 18, PARAGRAPH 1.

You swear (a)

1. That you are the person named by the name of in the polling list now shown to you (*or where a voter votes under a certificate given under section 83 of The Election Act*), that you are the person named in the certificate now shown to you;

2. That you are of the full age of twenty-one years.

3. That you are a British subject by birth and are unmarried (*or are married to a British subject*).

or

3. That you are a British subject by virtue of your naturalization in your own right before the 12th day of April, 1917, (*or by virtue of your naturalization under the laws of Canada or Great Britain since the 12th day of April, 1917*);

or

3. That you are a British subject by virtue of the naturalization of your parent as a British subject while you were a minor and have not become a subject of any foreign power or a citizen of any foreign state;

or

3. That you are married to (*or being a widow, you are the widow of*) a British subject and since your marriage to such British subject you have not done any act to cause yourself to become a subject of any foreign power or a citizen of any foreign state.

4. That you are not a citizen or subject of any foreign country.

5. That you have resided within the Dominion of Canada for the twelve months last past.

6. That you were resident in this electoral district at the date of the issue of the writ of election and have resided continuously since that date—(b)—and now are actually resident and domiciled therein.

(This to be used in cities, separated towns or townships to which Part IIIA of *The Voters' Lists Act* applies).

or

6. That you have resided in this municipality continuously for two months next preceding the day of polling—(b)—and are now actually resident and domiciled therein.

(This applies to all electoral districts to which Part IIIA of *The Voters' Lists Act* does not apply).

or

6. That you are the person named in the certificate now produced by you and issued under section 19 of *The Election Act*, and have been since the issue of the said certificate and are now actually resident and domiciled in this electoral district.

(This to be used in the case of a voter who is the holder of a certificate issued under section 19).

7. That you are not disqualified from voting at this election and are entitled to vote at this election and at this polling place.

8. That you have not voted before at this election at this or any other polling place.

9. That you have not received anything nor has anything been promised to you, directly or indirectly, to induce you to vote at this election, or for loss of time, travelling expenses, hire of conveyance or any service whatever connected with this election.

10. That you have not directly or indirectly paid or promised anything to any person to induce him to vote or refrain from voting at this election. So help you God.

NOTE.—(a) If the voter is a person who may by law affirm in civil cases, then for "swear" substitute "solemnly affirm."

(b) In case the voter has been temporarily absent, insert the following words "except occasionally or temporarily, or as a student in an institution of learning in Canada, that is to say (*naming the institution*) as the case may be."

FORM 25.

(Section 18, Paragraph 3).

FORM OF OATH TO BE ADMINISTERED TO FEMALE VOTER IN TERRITORY WITHOUT MUNICIPAL ORGANIZATION.

You swear (a)

1. That you are the person named or intended to be named in the polling list now shown to you (*or where a voter votes under a certificate given under section 83 of The Election Act, that you are the person named in the certificate now shown to you*).

2. That you are of the full age of twenty-one years.

3. That you are a British subject by birth and are unmarried (*or are married to a British subject*).

(*or, at the option of the voter*).

3. That you are a British subject by virtue of your naturalization in your own right before the 12th day of April, 1917, (*or by virtue of your naturalization under the laws of Canada or Great Britain since the 12th day of April, 1917*).

(*or, at the option of the voter*).

3. That you are a British subject by virtue of the naturalization of your parent as a British subject while you were a minor and have not become a subject of any foreign power or a citizen of any foreign state.

(*or, at the option of the voter*).

3. That you are married to (*or being a widow, you are the widow of*) a British subject and since your marriage to such British subject you

have

have not done any act to cause yourself to become a subject of any foreign power or a citizen of any foreign state.

4. That you are not a citizen or subject of any foreign country.
5. That you have resided in the Province of Ontario for the twelve months last past.
6. That you were at the time of the entry of your name upon the polling list now shown to you in good faith a resident of and domiciled in the electoral district for which the list is prepared, and that you have resided in this electoral district continuously since the said date and that you are now actually resident and domiciled therein.
7. That you are not disqualified from voting and are qualified to vote at this election and at this polling place.
8. That you have not voted before at this election at this or any other polling place.
9. That you have not received anything nor has anything been promised to you, directly or indirectly, to induce you to vote at this election, or for loss of time, travelling expenses, hire of conveyance or any service whatever connected with this election.
10. That you have not, directly or indirectly, paid or promised anything to any person to induce him to vote or refrain from voting at this election.

So help you God.

NOTE.—(a) If the voter is a person who may by law affirm in civil cases, then for "swear" substitute "solemnly affirm."

CHAPTER 22.

An Act respecting the Fiscal Year.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Fiscal Year Act, 1935.* Short title.

2. In this Act the expression "old fiscal year" shall mean the fiscal year as heretofore constituted, and the expression "new fiscal year" shall mean the fiscal year as constituted under section 3 of this Act. Interpretation "old fiscal year," "new fiscal year."

3. Subsection 1 of section 20 of *The Audit Act* is repealed and the following substituted therefor: Rev. Stat. c. 25, s. 20, subs. 1 re-enacted.

- (1) The public accounts shall include the period from the 1st day of April in one year to the 31st day of March in the next year which period shall constitute the fiscal year; all estimates submitted to the Legislature shall be for the services coming in course of payment during the fiscal year; and all balances of appropriation which remain unexpended at the end of the fiscal year shall lapse and be written off; provided, that upon cause being shown to the satisfaction of the Lieutenant-Governor in Council he may, by Order-in-Council to be made before the 1st day of April of each year, extend the time for finally closing the account of any appropriation, for a period of not more than one month from the end of the fiscal year; after the expiration of which extended time, and not before, the balance of such appropriation shall lapse and be written off, but any accounts for services during the preceding fiscal year which remain unpaid at the end of the period above mentioned shall be paid out of the appropriation for the ensuing fiscal year. Fiscal year.

4.—(1) Where in any Act heretofore passed, or passed during the present Session or in any regulation or order made under the authority of any such Act, a day or time is designated Re-adjustment of dates in consequence of change in fiscal year.

nated

nated for any purpose, and the Lieutenant-Governor in Council is of opinion that the day or time so designated was fixed because of its relation to the old fiscal year, or that the day or time designated for such purpose should bear a corresponding relation to the new fiscal year, the Lieutenant-Governor may, by Order-in-Council, declare that the day or time fixed for such purpose shall be changed so that it shall bear to the new fiscal year the same relation as the day or time previously designated bore to the old fiscal year.

Orders-in-Council may be retro-active.

(2) Orders-in-Council passed under the authority of this section may be made retroactive to take effect from the 1st day of November, 1934.

Fiscal year for 1935.

5. The fiscal year 1935 shall consist of five months only, commencing on the 1st day of November, 1934, and ending on the 31st day of March, 1935.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 1st day of November, 1934.

CHAPTER 23.

An Act to amend The Game and Fisheries Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Game and Fisheries Amendment Act, 1935*. Short title.

2.—(1) Subsection 1 of section 6 of *The Game and Fisheries Act* is amended by adding thereto the following clause: Rev. Stat.,
c. 318, s. 6,
subs. 1,
amended.

(x) governing the use of dogs while hunting deer or moose on any island or peninsula or in any other area which is of a similar topographical nature. Use of
dogs.

(2) Subsection 1 of the said section 6 is further amended by adding thereto the following clause: Rev. Stat.,
c. 318, s. 6,
subs. 1,
amended.

(y) authorizing the issue of licenses by the township of Pelee for the hunting of pheasants within such township during the period within which the hunting of pheasants is permitted in such township by this Act and any order-in-council passed thereunder and the charging of a fee therefor by the council of such township.

3.—(1) Clauses *b* and *c* of section 7 of *The Game and Fisheries Act* as re-enacted by subsection 1 of section 2 of *The Game and Fisheries Act, 1928*, and amended by subsection 1 of section 2 of *The Game and Fisheries Act, 1929*, and clauses *f* and *ff* of the said section 7 as enacted by subsection 2 of section 2 of *The Game and Fisheries Act, 1928*, are repealed and the following substituted therefor: Rev. Stat.,
c. 318, s. 7,
amended.

(b) Any deer or moose in that part of Ontario lying north of the Mattawa River, Lake Nipissing and the French River and south of the main line of the Canadian National Railway (formerly Grand Trunk Pacific Railway) from Quebec to the Manitoba boundary line except from the 25th day of October to the 25th day of November, both days inclusive; provided Open
seasons,—

deer and
moose.

however

however that on St. Joseph's Island in the District of Algoma, the open season shall be from the 10th day of November to the 25th day of November, both days inclusive;

goose,
duck,
eider duck.

- (f) any wild goose or wild duck in that part of Ontario lying north and west of the French and Mattawa Rivers except from the 15th day of September to the 30th day of November in any one year, both days inclusive, other than wood and eider duck, which may be taken during such period and on such terms and conditions as may be prescribed by the Lieutenant-Governor in Council;

Idem.

- (ff) any wild goose or wild duck in that part of Ontario lying south of the French and Mattawa Rivers, except from the 1st day of October to the 30th day of November in any one year, both days inclusive, other than wood and eider duck, which may be taken during such period and on such terms and conditions as may be prescribed by the Lieutenant-Governor in Council.

Rev. Stat.,
c. 318, s. 7,
cl. cc,
(1929, c. 82,
s. 2, subs. 2),
re-lettered.

- (2) Clause cc of the said section 7 as enacted by subsection 2 of section 2 of *The Game and Fisheries Act, 1929*, is relettered as clause c.

Rev. Stat.,
c. 318, s. 9,
subs. 1,
re-enacted.

4. Subsection 1 of section 9 of *The Game and Fisheries Act* is repealed and the following substituted therefor:

Beaver.

- (1) It shall be unlawful for any person to hunt, take or kill any beaver, or, except during such periods and on such terms and conditions as may be prescribed by the Lieutenant-Governor in Council, have in his possession the carcass, skin or any part of any beaver.

Otter.

- (1a) It shall be unlawful for any person to hunt, take or kill any otter or have in his possession the carcass, skin or any part of any otter, except during such periods and on such terms and conditions as may be prescribed by the Lieutenant-Governor in Council.

Rev. Stat.,
c. 318, s. 10,
subs. 2,
re-enacted.

5. Subsection 2 of section 10 of *The Game and Fisheries Act* as amended by section 5 of *The Game and Fisheries Act, 1932*, and subsection 1 of section 5 of *The Game and Fisheries Act, 1933*, is repealed and the following substituted therefor:

License to
hunt, trap,
etc.

- (2) No resident British subject shall hunt, take, trap, shoot, kill or molest, or attempt to hunt, take, trap, shoot, kill or molest any fur-bearing animal except under the authority of a license or permit, but this

shall

shall not apply to a farmer or his sons trapping upon the lands of such farmer, animals other than beaver and otter during the various open seasons, nor shall this apply to the taking of wolf, or the shooting of fox during the open season; provided however, that the possession of a license or permit authorized by this subsection shall be sufficient authority to enable a licensee to sell, pursuant to the provisions of this Act, fur-bearing animals or skins or pelts thereof, hunted, taken, trapped, shot or killed by such licensee under the authority of such license or permit.

Exception
as to
farmers.

Authority
to sell.

6. Section 13 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

Rev. Stat.,
c. 318, s. 13,
amended.

- (2) It shall be unlawful for any person to use or to be accompanied by any dog while hunting deer, moose or caribou, unless such dog be licensed under the provisions of this Act.

Dogs.

7.—(1) Clause *a* of section 20 of *The Game and Fisheries Act* as re-enacted by section 5 of *The Game and Fisheries Act, 1934*, is amended by inserting after the word "shoot" in the second line the word "bear," so that the first four lines of the said clause shall now read as follows:

Rev. Stat.,
c. 318, s. 20,
cl. *a*
(1934,
c. 19, s. 5),
amended.

- (a) to non-residents, and the fees and licenses shall be—

Hunting
licenses.

\$15—for license to hunt and shoot bear, game birds and rabbits, together with a fee of fifty cents for the issuing of same.

(2) Clause *c* of the said section 20 is amended by striking out the word "six" where it occurs in the second and third lines respectively, and inserting in lieu thereof the word "four," so that the said clause shall now read as follows:

Rev. Stat.,
c. 318, s. 20,
cl. *c*,
amended.

- (c) to organized hunting camps of residents of Ontario of not less than four in number, and one license for every four holders of resident deer licenses in organized hunting parties, and the fee for such license shall be \$3.50, together with a fee of fifty cents for the issuing of same.

Organized
hunting
camps.

(3) The said section 20 is amended by adding thereto the following clause:

Rev. Stat.,
c. 318, s. 20,
amended.

- (g) for a dog used by or accompanying any person or persons while hunting deer, moose or caribou, and the fee for such license shall be \$1.85, together with a fee of fifteen cents for the issuing of the same.

Dog
license.

Rev. Stat.,
c. 318, s. 25,
amended.

8. Section 25 of *The Game and Fisheries Act* as amended by section 8 of *The Game and Fisheries Act, 1928*, section 9 of *The Game and Fisheries Act, 1930*, and section 9 of *The Game and Fisheries Act, 1932*, is amended by striking out the item "Fox (red)..... .75" in the first paragraph and inserting in lieu thereof the item "Fox (red)50"; and by inserting after the word "fox" in the second line of the second paragraph the words "and mink," so that the second paragraph of the said section shall now read as follows:

Royalties.

"Such royalties apply to any pelts that may become damaged or destroyed by any means, but shall not apply to silver, black and blue fox and mink bred on fur farms operating within the Province under the authority of a license issued by the Minister, provided that satisfactory proof is furnished by the fur farm licensee, nor shall such royalties apply to pelts imported from outside of the Province, if an affidavit is furnished proving their place of origin to the satisfaction of the Department."

Rev. Stat.,
c. 318, s. 29,
amended.

9. Section 29 of *The Game and Fisheries Act* is amended by adding thereto the following subsections:

Killing of
female and
male deer
under one
year pro-
hibited.

- (2) It shall be unlawful for any person at any time to hunt, kill, take or molest any female deer of any age, or any male deer under the age of one year, except as provided under subsections 3 and 4 of section 30.

Deer,
prohibition
against
killing
while
swimming.

- (3) It shall be unlawful for any person to kill or molest any deer while such deer is swimming in the waters of any lake or river.

Rev. Stat.,
c. 318, s. 30,
subs. 1,
amended.

10.—(1) Subsection 1 of section 30 of *The Game and Fisheries Act* is amended by striking out the word "deer" in the second line and inserting in lieu thereof the words "male deer over one year of age," so that the said subsection shall now read as follows:

Number of
deer, etc.,
which may
be taken by
residents.

- (1) It shall be unlawful for a resident during any one year or season to kill or take more than one male deer over one year of age under a resident deer license, and one bull moose or caribou over one year of age, under the authority of a moose license, but this shall not apply to deer which are the private property of any resident, and which have been killed or taken by him or by his direction or with his consent in or upon his own land in accordance with the provisions of section 26 of this Act.

(2) Subsection 2 of the said section 30 is amended by striking out the word "deer" in the second line and inserting in lieu thereof the words "male deer over one year of age" and by inserting after the word "caribou" in the third line the words "over one year of age," so that the said subsection shall now read as follows:

Rev. Stat.,
c. 318, s. 30,
subs. 2,
amended.

(2) It shall be unlawful for a non-resident during any one year or season to kill or take more than one male deer over one year of age and one bull moose or caribou over one year of age under the authority of a non-resident hunting license.

Number of
deer, etc.,
which may
be taken
by non-
residents.

(3) Subsection 3 of the said section 30 is repealed and the following substituted therefor:

Rev. Stat.,
c. 318, s. 30,
subs. 3,
re-enacted.

(3) Notwithstanding the provisions of subsections 1 and 2 of this section, two or more persons hunting together and holding licenses may kill an aggregate of not more than one male deer over the age of one year for each member of the party, provided, however that for every four deer which may lawfully be killed, one female deer or male deer under the age of one year may be killed in lieu of one male deer over the age of one year; but in no case shall persons hunting together kill more than two female deer or male deer under the age of one year.

Aggregate
kill.

(4) The provisions of subsection 3 shall not apply to deer taken by residents under the authority of a camp license which entitles organized resident hunting parties to kill one deer, male or female of any age, to be eaten in camp; provided however that the aggregate number of female deer or male deer under the age of one year taken under any number of camp licenses issued to any one organized hunting camp of residents shall not exceed two, and further provided that the holding of a camp license or licenses shall not entitle the persons to whom they are issued to kill any female deer or male deer under the age of one year in addition to such female deer or male deer under the age of one year which such persons are entitled to kill under the provisions of subsection 3.

Deer taken
under camp
license.

11. Section 31 of *The Game and Fisheries Act* as re-enacted by section 10 of *The Game and Fisheries Act, 1932*, and amended by section 11 of *The Game and Fisheries Act, 1933*, is repealed and the following substituted therefor:

Rev. Stat.,
c. 318, s. 31
(1932,
c. 41, s. 10),
re-enacted.

Police dog,—
use of
prohibited.

31.—(1) It shall be unlawful for any person to use or to be accompanied by a dog commonly known as a police dog or any cross breed thereof, while hunting deer, moose or caribou.

Number of
dogs which
may be used.

(2) It shall be unlawful while hunting deer, moose or caribou,—

(a) for a person or any number of persons less than four to use or be accompanied by a dog;

(b) for a party of four persons to use or to be accompanied by more than one dog;

(c) for a party of more than four persons and less than nine persons to use or to be accompanied by more than two dogs;

(d) for a party of nine or more persons to use or be accompanied by more than three dogs.

Dog not
to run at
large
during
close
season.

(3) It shall be unlawful for the owner of any dog to permit such dog to run at large during the period of the close season for deer in a locality which deer, moose or caribou usually inhabit or in which they are usually found.

Who to be
deemed
owner
of dog.

(4) Any person harbouring or claiming to be the owner of such dog shall be deemed to be the owner thereof and any dog found running deer, moose or caribou during the period of the close season for deer shall be deemed to be at large with the permission of the owner and may be killed on sight by any person, and such person shall not be liable to any penalty or damage therefor.

Lost dogs.

(5) Any person who loses a dog used in the hunting of deer or moose and is unable to find such animal at the termination of the hunt, shall report such loss to the Department in writing at once, giving a description of the dog and the locality in which it was lost.

Dogs not
to be used
in taking
mink, beaver
or otter.

(6) It shall be unlawful for the owner of any dog to use or permit to be used in any manner whatsoever such dog for the taking or killing of any mink, beaver or otter.

Rev. Stat.,
c. 318, s. 34,
subs. 4,
re-enacted.

12. Subsection 4 of section 34 of *The Game and Fisheries Act* as amended by subsection 2 of section 10 of *The Game and Fisheries Act, 1930*, is repealed and the following substituted therefor:

- (4) No person shall take or kill more than fifteen wild ducks, other than merganser, in any one day, and not more than one hundred and fifty wild ducks, other than merganser, in any one year, provided however nothing herein contained shall prohibit any person from taking or killing any number of merganser, commonly known as "saw-bill," during the open season.
- Limit on number of ducks to be taken.

13. Section 49 of *The Game and Fisheries Act* is amended by adding thereto the following subsection:

Rev. Stat., c. 318, s. 49, amended.

- (1a) It shall be unlawful for any railway or express company or other common carrier, or any other person, to transport or cause to be transported the head or antlers, or both, of any moose, unless at the time when the head or antlers, or both, are received by such railway or express company or other common carrier, or other person or persons, there are produced to such railway or express company, or other common carrier, or other person, at least the two hind quarters of the carcass from which the head or antlers, or both, were removed.
- Duty of express company, etc., as to transportation of moose head and antlers.

14. This Act, other than subsection 2 of section 2, shall come into force on the 1st day of June, 1935. Subsection 2 of section 2 shall come into force on the 1st day of July, 1935.

Commencement of Act.

CHAPTER 24.

An Act to amend The General Sessions Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The General Sessions Amendment Act, 1935.*

Rev. Stat.,
c. 92, s. 3,
subs. 2,
re-enacted. **2.**—(1) Subsection 2 of section 3 of *The General Sessions Act* is repealed and the following substituted therefor:

General
sessions,—
county of
York. (2) In the county of York the sittings of the court shall be held four times in the year commencing on the first Tuesday in the months of December, March and May and on the second Tuesday in the month of September in each year.

County of
Wentworth. (2a) In the county of Wentworth the sittings of the court shall be held four times in the year commencing on the first Tuesday in the months of December and March and on the second Tuesday in the months of May and September.

Commence-
ment of
section. (2) The amendment made by subsection 1 of this section shall be deemed to have been in force from the 1st day of April, 1935.

Rev. Stat.
c. 92, s. 11,
re-enacted. **3.** Section 11 of *The General Sessions Act* is repealed and the following substituted therefor:

Power of
Lieut.-Gov.
in Council
as to,— **11.**—(1) Notwithstanding the provisions of any other Act of this Legislature the Lieutenant-Governor in Council may:

Rules of
practice. (a) Make rules for regulating the practice and procedure in the county and district courts;

Fees of
Crown. (b) Make rules and regulations regulating and fixing all fees payable to the Crown in respect of proceedings in such courts;

(c)

(c) Prescribe a tariff of fees to be allowed to ^{Fees of} solicitors and counsel practising in such courts;

(d) Prescribe forms for use in such courts. ^{Forms.}

(2) The existing rules, fees payable to the Crown, fees ^{Existing} to be allowed to solicitors and forms, shall remain in ^{rules, tariff} and forms. force until altered, amended or repealed as in subsection 1 provided.

4. This Act shall come into force on the day upon which it ^{Commence-} receives the Royal Assent. ^{ment of Act.}

CHAPTER 25.

An Act to amend The Highway Improvement Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Highway Improvement Amendment Act, 1935*.

Rev. Stat.,
c. 54, s. 8,
subs. 1,
cl. (b),
amended.

2.—(1) Clause *b* of subsection 1 of section 8 of *The Highway Improvement Act* is amended by striking out the words "of Part V" in the sixth and seventh lines, so that the said clause shall now read as follows:

Highway
Improvement
Fund,—
how
made up.

(*b*) a sum equal to all repayments to the Province on account of amounts chargeable to or received from municipalities, individuals, companies or corporations by reason of any work performed or expenditures incurred or materials or property sold or fees or fines imposed under any of the provisions of this Act and the regulations made thereunder.

Rev. Stat.,
c. 54, s. 8,
subs. 1,
amended.

(2) Subsection 1 of the said section 8 is amended by adding thereto the following clause:

Highway
Improvement
Fund,—
how
made up.

(*e*) a sum equal to all revenues collected under any Acts administered by the Department or under the regulations passed under any such Acts.

Rev. Stat.,
c. 54, s. 12,
subs. 5,
re-enacted.

3. Subsection 5 of section 12 of *The Highway Improvement Act* is repealed and the following substituted therefor:

County road
superin-
tendent.

(5) The administration and management of the county road system shall be vested in an officer to be appointed by by-law of the county council to be known as the county road superintendent, who shall be an engineer approved by the Minister, and the county road superintendent shall act under the direction of the county road committee.

- (a) Every engineer hereafter appointed by the council of a county, in pursuance of this section shall be a graduate in civil engineering of a university of recognized standing, or a member of the Engineering Institute of Canada, or an Ontario land surveyor. Qualifications.
- (b) A copy of the by-law appointing the county road superintendent shall be transmitted to the Department within thirty days of the passing thereof and such appointment shall be subject to the approval of the Minister, and when so approved shall not be repealed or amended without the consent in writing of the Minister. Copy of by-law appointing to be transmitted to Department.

4. *The Highway Improvement Act* is amended by adding thereto the following section: Rev. Stat., c. 54, amended.

16a.—(1) The corporation of the county shall submit a by-law covering the estimated expenditure on roads for the calendar year to the Department for the Minister's approval, not later than the 31st day of January of the year in which the expenditure is to be made and such by-law shall include expenditures to be made by the suburban area commission in the said county. Submission of by-law covering estimated expenditure.

(2) No subsidy shall be granted by the Department to any county for work undertaken by such county which has not been provided for by a by-law duly approved by the Minister. Subsidy.

5. Subsection 2 of section 17 of *The Highway Improvement Act* is amended by inserting after the word "included" in the seventh line the words "but no expenditure towards which a special contribution has been or may be made from any source shall be included unless by agreement with the Department," so that the said subsection shall now read as follows: Rev. Stat., c. 54, s. 17, subs. 2, amended.

(2) In estimating the amount of the grant or subsidy to which the municipal corporation is entitled under this Act, the salary of the county road superintendent, his travelling expenses, the purchase of additional right-of-way, the laying and operation of railway switches and sidings, the purchase of property, plant, machinery and the repair thereof, and any other expenditure of a general character shall be included, but no expenditure towards which a special contribution has been or may be made from any source shall be included unless by agreement with the

Department

Department, and in all cases of doubt or dispute the decision of the Minister shall be final.

Rev. Stat.
c. 24, s. 29
subs. 5,
re-enacted.

²⁹
6. Subsection 5 of section 28 of *The Highway Improvement Act* as amended by section 3 of *The Highway Improvement Act, 1928*, and section 5 of *The Highway Improvement Act, 1930*, is repealed and the following substituted therefor:

Allowance
in town or
village.

- (5) An urban municipality situate within a county, but not separated therefrom for municipal purposes, whether there is or is not any such county road extension or connection in such urban municipality, shall be subject to the annual general levy for county road purposes under the by-law mentioned in section 12, but the council of the county shall on or before the 1st day of April in each year remit, in the case of a town, fifty per centum, and in the case of a village, seventy-five per centum, of the amount raised by such rate in the town or village in the previous year less the cost of the repairs, if any, done by the county upon such county road extension or connecting link or upon any road in such urban municipality included in the county road system during the previous year, and where the road in the urban municipality is not a part of the county road system the cost of repairs on such roads shall be borne by the county and urban municipality in such proportions as shall be provided for by an agreement entered into and approved by the Minister before the work is commenced.

How moneys
to be
expended.

- (a) Any moneys so received by the town or village shall be expended under the supervision of the county road superintendent upon streets in the municipality designated by the Minister, provided that where the Minister is of the opinion that it is unnecessary to expend the whole or any part of the moneys so received upon streets in the municipality, he may direct that the whole or any portion of such moneys may be applied in payment of any outstanding debentures issued to provide for paving streets in the municipality.

Vouchers
to be sub-
mitted to
county
treasurer.

- (b) Vouchers for all moneys expended by any town or village under the provisions of clause a shall be submitted to the county treasurer during the calendar year in which such moneys were received, and the provisions of subsection 1 of section 17 shall apply to all such expenditures.

(c) No such rebate shall be made for any year ^{When rebate not to be made.} during which the construction or rebuilding of any such extension or connecting link has been in progress.

(d) In determining the amount of such rebate ^{Rebate on road work in towns and villages.} payable in the year 1931 and thereafter, the amount raised by the corporation of a town or village for the purpose of paying off its share of any debenture debt of the county shall not be considered.

7. Section 45 of *The Highway Improvement Act* is amended ^{Rev. Stat., c. 54, s. 45, amended.} by adding thereto the following subsection:

(2) The council of a township shall submit a by-law ^{Submission of by-law covering estimated expenditure.} covering the estimated expenditure on all road construction, improvement or repairs for the calendar year to the Department for the approval of the Minister not later than the 28th day of February of the year in which such expenditure is to be made and no subsidy shall be granted to any township in respect of work which has not been provided for by a by-law approved by the Minister.

8. Clause *c* of section 47 of *The Highway Improvement Act* ^{Rev. Stat., c. 54, s. 47, cl. (c), amended.} is amended by adding at the end thereof the words "and that it contains no item of expenditure whether for labour or materials for which actual cash was not paid to the persons performing the work or supplying the materials," so that the said clause shall now read as follows:

(c) the declaration of the township treasurer that the statement of expenditure is true and correct and that it contains no item of expenditure whether for labour or materials for which actual cash was not paid to the persons performing the work or supplying the materials.

9. Section 49 of *The Highway Improvement Act* is amended ^{Rev. Stat., c. 54, s. 49, amended.} by striking out the words "by the Province" in the fifth line and inserting in lieu thereof the words "from any source except where a contrary provision is contained in any agreement entered into between the township and the Province," so that the said section shall now read as follows:

49. Expenditure in respect of which aid may be granted ^{What amount not to be included in fixing subsidy.} under section 48 shall not include any amount levied in the township for county road purposes or any other road expenditure towards which a contribution has been paid, or may be payable from any source except

where

where a contrary provision is contained in any agreement entered into between the township and the Province.

Rev. Stat.,
c. 54,
amended.

10. *The Highway Improvement Act* is amended by adding thereto the following section:

Vouchers.

50. Wherever a subsidy is applied for by any county or township, under any provision of this Act, vouchers covering all expenditures in respect of which such subsidy is applied for shall be furnished to the Department in a form satisfactory to the Minister.

Rev. Stat.,
c. 54, s. 52,
subs. 1,
amended.

11. Subsection 1 of section 52 of *The Highway Improvement Act* is amended by inserting after the words "to be" in the third line the words "laid out," so that the said subsection shall now read as follows:

Highways
may be
assumed
by the
Province.

(1) The Lieutenant-Governor in Council, upon recommendation of the Minister, may designate any highway or a system of public highways throughout Ontario to be laid out, acquired, constructed, assumed, repaired, relocated, deviated, widened and maintained by the Minister for Ontario as The King's Highway.

Rev. Stat.,
c. 54, s. 53,
amended.

12. Section 53 of *The Highway Improvement Act* is amended by inserting after the word "every" in the first line the word "such," so that the said section shall now read as as follows:

Vested
in His
Majesty.

53. Every such King's Highway and all property acquired by Ontario under this Act shall be vested in His Majesty and shall be under the control of the Department.

Rev. Stat.,
c. 54, s. 54,
subs. 1,
amended.

13.—(1) Subsection 1 of section 54 of *The Highway Improvement Act* is amended by inserting after the word "desires" in the second line the words "to lay out a King's Highway or," so that the said subsection shall now read as follows:

Procedure
for
acquiring
highway.

(1) Subject to the provisions of section 59, when the Minister desires to lay out a King's Highway or to acquire any existing highway under the authority of this Act, either temporarily or permanently, he shall deposit in the proper registry office a plan and description of the highway, signed by himself, or by the Deputy Minister, or by an Ontario land surveyor, and such highway shall thereafter become and be vested in the Crown, as from such date as the Minister may determine, by notice in the *Ontario Gazette*, and the Department shall give notice in writing thereof to each of the municipalities interested.

(2) Subsection 2 of the said section 54 is repealed and the following substituted therefor:

Rev. Stat.,
c. 54, s. 54,
subs. 2,
re-enacted.

- (2) Wherever a highway assumed, acquired or laid out as one of The King's Highways, intersects a highway which is not one of The King's Highways, the continuation of The King's Highway to its full width across the highway so intersected, including bridges and culverts thereon, shall be a part of The King's Highway.

The King's
Highway.

(3) Subsection 3 of the said section 54 is repealed and the following substituted therefor:

Rev. Stat.,
c. 54, s. 54,
subs. 3,
re-enacted.

- (3) Whenever for the purposes of this section it is deemed advisable to deposit in any registry office a preliminary route plan of any highway or lands acquired or to be acquired therefor by the Minister, such preliminary route plan shall be of full effect as provided by subsection 1, and shall confer upon the Minister authority to acquire and take possession of the road or lands, but such plan may at any time thereafter be replaced by a completed plan and description of the road or lands so acquired.

Preliminary
route plan.

14.—(1) Section 59 of *The Highway Improvement Act* is amended by adding thereto the following subsection:

Rev. Stat.,
c. 54, s. 59,
amended.

- (1a) Where land has been entered upon, taken or used by the Minister under the compulsory powers conferred by this Act the Minister shall, within sixty days after the registration of the plan and description of the land in the registry office, give notice to the owner,

Notice
as to land
entered
upon, taken
or used.

- (a) if the owner is known and his residence is known, by serving upon him or by mailing by registered post addressed to him at his last known place of abode, a notice describing the land taken or the right or easement exercised or intended to be exercised in, upon or over the land, and the nature of the work to be done and the date of the registration of the plan and description, and stating that every person having any claim to compensation must file the same in the office of the Minister within six months after such registration, or, in the case of land injuriously affected, within six months after the injury complained of, or in the case of a continuing injury, within one year from the time when the injury began or became known to him; or

(b)

- (b) if the owner is unknown or his residence is unknown, by the publication of a similar notice once a week for at least three weeks in some newspaper having a general circulation in the county or district in which the land affected is situate.

Rev. Stat.,
c. 54, s. 59,
subs. 3,
amended.

- (2) Subsection 3 of the said section 59 is amended by inserting after the word "another" in the fourth line the words "or similar," and by inserting after the word "showing" in the fifth line, the words "land or," so that the said subsection shall now read as follows:

Amendment
of "land
plan."

- (3) A land plan deposited in any registry office as in the next preceding subsection provided may be amended upon the authority of the Minister or Deputy Minister from time to time, or another or similar plan may be substituted therefor upon like authority for the purpose of showing land or additional lands purchased or acquired, or for the purpose of indicating thereon lands sold or disposed of by the Minister.

Rev. Stat.,
c. 54, ss. 61,
62, 63, 64,
re-enacted.

- 15.** Sections 61, 62, section 63 as amended by section 4 of *The Highway Improvement Act, 1929*, and section 64 of *The Highway Improvement Act* are repealed and the following substituted therefor:

Deductions
from grants
on default in
municipal
contribu-
tions.

61. Where a corporation of a county or other municipality, park commission, board or commission is in default with respect to any payments due to the Province for their share of the expenditure on The King's Highway up to the 31st day of December, 1934, the amount of the arrears shall bear interest from the date of such default at such rate of interest as the Minister may from time to time determine, and the amount of the arrears and interest may be deducted from any sums due to the county or municipality by the Province.

Contribu-
tions by
commission
or other
controlling
body.

62. Where a road assumed as The King's Highway under this Act was at the time it was so assumed under the control of a park commission, or any board or commission established by statute and having authority over the area in which the road lies, the amount or proportion of expenditure may be apportioned by the Minister to and shall be a debt due to Ontario from such park commission, board or commission and shall be payable out of the revenues of such commission.

63. It shall be the duty of such park commission, board or commission to provide for the payment of any contribution required under section 62 in its estimates of annual expenditure, and every such park commission, board or commission shall have power to do all things necessary to provide for the payment of such contribution, and where authorized by statute to levy rates upon property within its jurisdiction, shall levy all necessary rates for the purposes hereof, anything in any Act under which such park commission, board or commission is established to the contrary notwithstanding.

Provision
for
payment.

64. The proportion of cost, as estimated under the two next preceding sections, shall be a debt due to Ontario by such park commission, or other board or commission and shall be paid to the Department within six months from the date of notification sent by registered post to such board or commission.

Proportion
of cost
debt due
Province.

16.—(1) Subsection 1 of section 65 of *The Highway Improvement Act* is repealed.

Rev. Stat.,
c. 54, s. 65,
subs. 1,
repealed.

(2) Subsection 4 of the said section 65 is amended by striking out the words "or The King's Suburban Highway" in the fifth line.

Rev. Stat.,
c. 54, s. 65,
subs. 4,
amended.

(3) Subsection 6 of the said section 65 is repealed and the following substituted therefor:

Rev. Stat.,
c. 54, s. 65,
subs. 6,
re-enacted.

(6) The proportion of the cost agreed upon shall be paid out of the Fund and the remainder shall be borne and paid by the town or village providing however, that in the case of a town or village having a population of not more than 2,500, the proportion of the cost of such work payable out of the Fund shall not exceed a sum equal to the cost of the travelled portion of The King's Highway of the existing width where it approaches such town or village, and in the case of towns other than separated towns having a population of more than 2,500, the proportion of the cost of such work payable out of the Fund shall not exceed fifty per centum of the cost of such work up to a width of thirty feet and the cost of all work in excess of such width shall be payable by such town.

Cost of
work.

17. Clauses *d* and *e* of subsection 1 of section 78 of *The Highway Improvement Act* as re-enacted by section 11 of *The Highway Improvement Act, 1931*, are repealed and the following substituted therefor:

Rev. Stat.,
c. 54, s. 78,
subs. 1,
cls. (d), (e)
(1931,
c. 11, s. 11),
re-enacted.

Regulating
the placing
of gasoline
pumps.

- (d) for regulating the distance from the limit of any of The King's Highways or any highway to which the Ontario Government gives aid, at which gasoline pumps may be placed and operated, and for directing the removal of any such pump placed or operated within such distance.

Licensing
gasoline
pumps.

- (e) for licensing and fixing the fees for licenses to be granted to any person operating a gasoline pump upon or within twenty-five feet from the limit of any of The King's Highways or any highway to which the Ontario Government gives aid.

Commence-
ment of
Act.

18. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 26.

An Act to amend The Highway Traffic Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Highway Traffic Amendment Act, 1935*. Short title.

2. Section 1 of *The Highway Traffic Act* is amended by adding thereto the following clause: Rev. Stat.,
c. 251, s. 1,
amended.

(kkk) "Safety glass" shall mean any product composed of glass so manufactured, fabricated or treated as substantially to prevent shattering and flying of the glass when struck or broken, or such other or similar product as may be approved by the Department. "Safety glass."

3. Subsection 5 of section 9 of *The Highway Traffic Act* as re-enacted by subsection 2 of section 2 of *The Highway Traffic Amendment Act, 1930 (No. 2)*, is amended by inserting after the word "Department" in the sixth line the words "as well as a white surface not less than ten inches in length and two inches in width, all of which shall be," so that the said subsection shall now read as follows: Rev. Stat.,
c. 251, s. 9,
subs. 5
(1930,
c. 48, s. 2),
amended.

(5) Whenever on a highway after dusk and before dawn, every bicycle or tricycle shall carry on the front thereof a white or amber lighted lamp, or reflector approved by the Department, and on the back thereof a red lighted lamp, or reflector approved by the Department, as well as a white surface not less than ten inches in length and two inches in width, all of which shall be so placed as to be clearly visible to the drivers of other vehicles. Bicycles
and
tricycles,—
lights on.

4. *The Highway Traffic Act* is amended by adding thereto the following section: Rev. Stat.,
c. 251,
amended.

Motor
vehicles
to be
equipped
with safety
glass.

- 12a. On and after the 1st day of July, 1936, no person shall sell any new motor vehicle nor shall any new motor vehicle be registered with the Department unless such vehicle is equipped with safety glass wherever glass is used in doors, windows and windshields.

Rev. Stat.,
c. 251, s. 13,
subs. 3,
amended.

5. Subsection 3 of section 13 of *The Highway Traffic Act* is amended by inserting after the words "motor vehicle" in the first line the words "bicycle and tricycle" so that the said subsection shall now read as follows:

Alarm bell
to be
sounded at
crossings,
etc.

- (3) Every motor vehicle, bicycle and tricycle shall be equipped with an alarm bell, gong or horn, and the same shall be kept in good working order and sounded whenever it shall be reasonably necessary to notify pedestrians or others of its approach.

Rev. Stat.,
c. 251,
amended.

6. *The Highway Traffic Act* is amended by adding thereto the following section:

Examination
of
vehicle.

- 15a.—(1) Every police constable and every officer appointed for the purpose of carrying out the provisions of this Act may require the driver of any motor vehicle to submit such motor vehicle, together with its equipment and any trailer attached thereto, to such examination and tests as such constable or officer may deem expedient.

Use of
unsafe
vehicle
prohibited.

- (2) Where any such vehicle, equipment or trailer is found to be in a dangerous or unsafe condition the constable or officer making the examination or tests may require the driver of such vehicle to proceed to have such vehicle, equipment or trailer placed in a safe condition and may order such vehicle or trailer to be removed from the highway and may prohibit the operation of such vehicle or trailer on the highway until such vehicle, equipment or trailer has been placed in a safe condition.

Rev. Stat.,
c. 251, s. 21,
subs. 1,
amended.

- 7.—(1) Subsection 1 of section 21 of *The Highway Traffic Act* is amended by inserting after the word "business" in the second line, the words "parking station, parking lot or used car lot" and by adding at the end thereof the words "provided that the provisions of this section shall not apply to a temporary parking lot which is being operated for a period of not more than two consecutive weeks," so that the said subsection shall now read as follows:

Garage
and
storage
licenses.

- (1) No person shall store or deal in motor vehicles, or conduct what is known as a garage business, parking station, parking lot or used car lot, without having

been

been licensed so to do by the Department in respect of each separate premises used by him for the purpose of such business, provided that the provisions of this section shall not apply to a temporary parking lot which is being operated for a period of not more than two consecutive weeks.

(2) Subsection 3 of the said section 21 is amended by inserting after the word "business" in the second line the words "parking station, parking lot or used car lot," so that the said subsection shall now read as follows: Rev. Stat., c. 251, s. 21, subs. 3, amended.

(3) Every person who stores or deals in motor vehicles or conducts a garage business, parking station, parking lot or used car lot without a license shall incur a penalty of not less than \$10 and not more than \$50 for the first offence; not less than \$50 and not more than \$200 for the second or subsequent offence, and shall also be liable to imprisonment for a term not exceeding three months for a third or any subsequent offence. Penalty for conducting business without license.

(3) Subsection 4 of the said section 21 is amended by inserting after the word "garage" in the second line the words "parking station, parking lot or used car lot," so that the said subsection shall now read as follows: Rev. Stat., c. 251, s. 21, subs. 4, amended.

(4) Any peace officer may enter into any place where motor vehicles are stored or dealt in or into any garage, parking station, parking lot or used car lot required to be licensed and make such investigation and inspection as he thinks proper in order to ascertain whether the provisions of this Act have been complied with. Right of entry and inspection.

(4) Subsection 6 of the said section 21 is amended by inserting after the word "business" in the second line the words "parking station, parking lot or used car lot," so that the said subsection shall now read as follows: Rev. Stat., c. 251, s. 21, subs. 6, amended.

(6) The Minister may suspend or cancel the license issued for a garage business, parking station, parking lot or used car lot for misconduct or for non-compliance with or infraction of any of the provisions of this Act or of the regulations by the holder of such license or by any of his employees or for any other reason appearing to him to be sufficient. Minister may suspend or cancel license.

(5) Subsection 7 of the said section 21 is amended by adding at the end thereof the words "parking station, parking lot or used car lot," so that the said subsection shall now read as follows: Rev. Stat., c. 251, s. 21, subs. 7, amended.

Regulations.

- (7) The Lieutenant-Governor in Council may, upon the recommendation of the Minister, make regulations controlling and governing the conduct of a garage business, parking station, parking lot or used car lot.

Rev. Stat.,
c. 251, s. 22,
subs. 4,
amended.

8.—(1) Subsection 4 of section 22 of *The Highway Traffic Act* is amended by inserting after the word "business" in the third line the words "parking station, parking lot or used car lot," so that the said subsection shall now read as follows:

Report to
Department
as to cars
stored or
parked.

- (4) Where any motor vehicle is placed in the possession of any person who repairs, buys, sells, wrecks or stores motor vehicles or conducts what is known as a garage business, parking station, parking lot or used car lot and the same remains in his possession for more than two weeks without good reason, such person shall forthwith, upon the expiration of the said period of two weeks make a report thereof to the Department.

Rev. Stat.,
c. 251, s. 22,
subs. 4a
(1931,
c. 54, s. 6),
amended.

(2) Subsection 4a of the said section 22 as enacted by section 6 of *The Highway Traffic Amendment Act, 1931*, is amended by inserting after the word "garage" where it occurs in the third and fourth lines respectively, the words "parking station, parking lot, used car lot," so that the said subsection shall now read as follows:

Report
as to
damaged
or bullet
marked
cars.

- (4a) If a motor vehicle which shows evidence of having been involved in a serious accident or having been struck by a bullet is brought into a garage, parking station, parking lot, used car lot or repair shop, the person in charge of the garage, parking station, parking lot, used car lot or repair shop shall forthwith report the same to the nearest provincial or municipal police officer, giving the name and address of the owner or operator and also the permit number and a description of the vehicle.

Rev. Stat.,
c. 251, s. 33,
amended.

9.—(1) Section 33 of *The Highway Traffic Act* is amended by adding thereto the following subsection:

Commercial
vehicle,—
how to be
loaded.

- (1a) Every commercial motor vehicle and every trailer shall be loaded in such a manner that no portion of the load may become dislodged or fall from such commercial motor vehicle or trailer during transit.

Rev. Stat.,
c. 251, s. 33,
subs. 2,
amended.

(2) Subsection 2 of the said section 33 is amended by inserting after the word and figure "subsection 1" in the first and second lines, the word and figure "or 1a," so that the said subsection shall now read as follows:

- (2) Any person who violates any of the provisions of sub-section 1 or 1a shall incur for the first offence a penalty of not less than \$5 and not more than \$10; for the second offence a penalty of not less than \$10 and not more than \$25; and for any subsequent offence a penalty of not less than \$25 and not more than \$50 and in addition his license or permit may be suspended for any period not exceeding sixty days.

Penalty
for
illegal
loading.

10.—(1) Subsection 1 of section 35a of *The Highway Traffic Act* as enacted by section 11 of *The Highway Traffic Amendment Act, 1931*, is amended by striking out the words “at a curve” in the eighth line, so that the said subsection shall now read as follows:

Rev. Stat.,
c. 251, s. 35a,
subs. 1
(1931,
c. 54, s. 11),
amended.

- (1) No person shall park or leave standing any vehicle whether attended or unattended, upon the travelled portion of a highway, outside of a city, town or village, when it is practicable to park or leave such vehicle off the travelled portion of such highway; provided, that in any event, no person shall park or leave standing any vehicle, whether attended or unattended upon such a highway unless a clear view of such vehicle may be obtained from a distance of at least two hundred feet in each direction upon such highway.

Parking
cars on
highways.

(2) Subsection 3 of the said section 35a as amended by section 8 of *The Highway Traffic Act, 1934*, is further amended by striking out all the words after the word “provisions” in the fourth line.

Rev. Stat.,
c. 251, s. 35a,
subs. 3
(1931,
c. 54, s. 11),
amended.

(3) The said section 35a is amended by adding thereto the following subsections:

Rev. Stat.,
c. 251, s. 35a
(1931,
c. 54, s. 11),
amended.

- (3a) Every commercial motor vehicle, when on a highway outside a city, town or village after dusk and before dawn, shall be equipped with a sufficient number of flares, lamps or lanterns which have been approved by the Department, capable of continuously producing two warning lights, each visible from a distance of at least five hundred feet for a period of at least eight hours.

Warning
lights on
commercial
motor
vehicle.

- (3b) Whenever any commercial motor vehicle and its lighting equipment are disabled during the period when lighted lamps are required to be displayed on vehicles and such commercial motor vehicle cannot immediately be removed from the travelled portion of a highway outside a city, town or village, the driver or other person in charge of such vehicle

Flares on
disabled
commercial
motor
vehicle.

shall

shall cause such flares, lamps or lanterns to be lighted and placed upon the highway, one at a distance of approximately one hundred feet in advance of such vehicle and one at a distance of approximately one hundred feet to the rear of the vehicle.

Rev. Stat.,
c. 251, s. 41a
(1930,
c. 48, s. 10),
amended.

11. Section 41a of *The Highway Traffic Act* as enacted by section 10 of *The Highway Traffic Amendment Act, 1930 (No. 2)* is amended by adding thereto the following subsection:

Non-liability
for injury
to gratuitous
passenger.

- (2) Notwithstanding the provisions of subsection 1 the owner or driver of a motor vehicle, other than a vehicle operated in the business of carrying passengers for compensation, shall not be liable for any loss or damage resulting from bodily injury to, or the death of any person being carried in, or upon, or entering, or getting on to, or alighting from such motor vehicle.

Rev. Stat.,
c. 251, s. 43,
subs. 1,
amended.

12.—(1) Subsection 1 of section 43 of *The Highway Traffic Act* is amended by striking out all the words after the word “vehicle” in the second line, so that the said subsection shall now read as follows:

Drivers
under 16
prohibited.

- (1) No person under the age of sixteen years shall drive or operate a motor vehicle.

Rev. Stat.,
c. 251, s. 43,
subs. 2,
amended.

(2) Subsection 2 of the said section 43 is amended by striking out all the words after the word “vehicle” in the second line so that the said subsection shall now read as follows:

Employment
of drivers
under 16
prohibited.

- (2) No person shall employ or permit anyone under the age of sixteen years to drive or operate a motor vehicle.

Rev. Stat.,
c. 251, s. 53,
amended.

13. Section 53 of *The Highway Traffic Act* is amended by adding thereto the following subsection:

Action for
damages.

- (3) Notwithstanding the provisions of subsections 1 and 2 when an action is brought, within the time limited by this Act, for the recovery of damages occasioned by a motor vehicle and a counterclaim is made by a defendant in respect of damages occasioned in the same accident, the lapse of the time herein limited shall be no bar to such counterclaim.

Rev. Stat.,
c. 251, s. 73,
subs. 1
(1930,
c. 47, s. 6),
amended.

14. Subsection 1 of section 73 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by striking out the words “to the

extent

extent of at least \$5,000 (exclusive of interest and costs) for injury to, or death of any one person, and subject to that limit for each person so injured or killed, to the extent of at least \$10,000 (exclusive of interest and costs) for injury to, or death of, two or more persons in any one accident, and to the extent of at least \$1,000 (exclusive of interest and costs) for damage to property of others resulting from any one accident" in the seventeenth to twenty-fourth lines and inserting in lieu thereof the words "to the extent for which financial responsibility is required to be given under section 77 hereof" so that the said subsection shall now read as follows:

- (1) Subject to the provisions of section 81, the driver's license and owner's permit or permits, of every person who fails to satisfy a judgment rendered against him by any court in Ontario, or in any other Province of Canada, which has become final by affirmation on appeal or by expiry without appeal, of the time allowed for appeal, for damages on account of injury to, or death of any person, or on account of damage to property in excess of \$100, occasioned by a motor vehicle, within fifteen days from the date upon which such judgment became final, shall be forthwith suspended by the Minister, upon receiving a certificate of such final judgment from the court in which the same is rendered, and shall remain so suspended, and shall not at any time thereafter be renewed, nor shall any new driver's license or owner's permit be thereafter issued to such person until such judgment is satisfied or discharged (otherwise than by a discharge in bankruptcy) to the extent for which financial responsibility is required to be given under section 77 hereof, and until such person gives proof of his financial responsibility.

15. Clause *a* of section 77 of *The Highway Traffic Act* as re-enacted by section 6 of *The Highway Traffic Act, 1932*, is amended by striking out the word "for" in the first and fifth lines respectively and inserting in lieu thereof the words "against loss or damage resulting from," so that the said clause shall now read as follows:

- (a) at least \$5,000 (exclusive of interest and costs) against loss or damage resulting from bodily injury to or the death of any one person and, subject to such limit for any one person so injured or killed, at least \$10,000 (exclusive of interest and costs) against loss or damage resulting from bodily injury to or death of two or more persons in any one accident; and

Rev. Stat.,
c. 251, s. 86,
subs. 1
(1930,
c. 47, s. 6),
amended.

16. Subsection 1 of section 86 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by inserting after the word "may" in the first line the words "waive the requirement of filing proof of financial responsibility or may" and by striking out the words "of the original deposit thereof" in the fifth and sixth lines and inserting in lieu thereof the words "upon which such proof was required to be given" so that the said subsection shall now read as follows:

Cancellation
and
return of
security.

- (1) The Minister may waive the requirement of filing proof of financial responsibility or may cancel any bond or return any certificate of insurance, or the Treasurer may, at the request of the Minister, return any money or securities deposited pursuant to this Part, as proof of financial responsibility at any time after three years from the date upon which such proof was required to be given, provided that the owner or driver on whose behalf such proof was given has not, during the said period, or any three year period immediately preceding the request, been convicted of any offence mentioned in section 72, and provided that no action for damages is pending and no judgment is outstanding and unsatisfied in respect of personal injury or damage to property in excess of \$100 resulting from the operation of a motor vehicle. A statutory declaration of the applicant under this section shall be sufficient evidence of the facts in the absence of evidence to the contrary in the records of the Registrar.

Commence-
ment of
Act.

17. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 27.

An Act to amend The Industrial Schools Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Industrial Schools Amendment Act, 1935.* Short title.

2.—(1) Subsection 1 of section 27 of *The Industrial Schools Act* as re-enacted by section 15 of *The Industrial Schools Act, 1931*, is amended by striking out the words “in which the child resided for a period of three months within the five months next prior to his admission to the school” in the second, third and fourth lines and inserting in lieu thereof the words “to which the child belongs,” so that the said subsection shall now read as follows: Rev. Stat., c. 329, s. 27, subs. 1 (1931, c. 73, s. 15), amended.

(1) Where the maintenance of a child is not otherwise fully provided for, the municipality to which the child belongs shall pay the sum of fifty cents per day towards the expense of maintenance. Maintenance.

(2) The said section 27 is amended by adding thereto the following subsections: Rev. Stat., c. 329, s. 27 (1931, c. 73, s. 15), amended.

(1a) For the purposes of this section a child shall be deemed to belong to the municipality in which such child has last resided for the period of one year; but in the absence of evidence to the contrary, residence for one year in the municipality in which the child was taken into custody shall be presumed. What presumed to be residence of child.

(1b) Where the child has not resided in any municipality in Ontario for one year, the municipality in which the child's mother has last resided for one year shall be deemed liable for maintenance. Where child's residence insufficient, mother's taken.

(1c) In the computation of the time in subsections 1a and 1b, the time during which the child or the mother of the child was an inmate of a children's, infants', What periods to be excluded in fixing time.

maternity or other boarding home, a correctional or charitable institution, a hospital or any home or institution for custodial, medical or other care or supervision shall not be regarded and the time during which the mother has resided in a municipality while her child was an inmate of any such home or institution shall likewise be disregarded.

Judge to
determine
municipality
liable.

(1d) In all other cases the judge shall determine the municipality to which the child belongs.

Commence-
ment of
Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 28.

An Act respecting Industrial Standards.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Industrial Standards Act*, Short-title.
1935.

2. In this Act,—

Interpreta-
tion.

- (a) "Association of Employees" shall mean a group of Association
of Employees. employees organized for the purpose of advancing their economic conditions and which is free from undue influence, domination, restraint or interference by employers or associations of employers;
- (b) "Deputy Minister" shall mean the Deputy Minister Deputy
Minister. of Labour;
- (c) "Employee" shall mean and include every person Employee. engaged in any industry who is in receipt of or entitled to compensation for labour performed in Ontario whether such labour is performed on the premises of the employer or of the employee or elsewhere and whether such compensation is on the basis of time or of the amount of work performed or piece work, but shall not include domestic servants;
- (d) "Employer" shall mean and include every person, Employer. corporation, partnership, firm, manager, representative, principal, agent, contractor, and subcontractor, directly or indirectly responsible for the payment of wages to an employee;
- (e) "Industry" shall mean and include every business, Industry. calling, trade, undertaking and work of any nature whatsoever and any branch thereof in which there are employees and employers except the mining and agricultural industries;

(f)

- Minister. (f) "Minister" shall mean the Minister of Labour or such member of the Executive Council as is for the time being charged with the administration of this Act;
- Officer. (g) "Officer" shall mean Industrial Standards Officer appointed under the authority of this Act;
- Regulations. (h) "Regulations" shall mean the regulations made by the Lieutenant-Governor in Council under the authority of this Act;
- Schedule. (i) "Schedule" shall include schedule of wages and schedule of hours of labour;
- Schedule of hours of labour. (j) "Schedule of Hours of Labour" shall mean a schedule of the maximum number of hours in each day or of days in each week, or of both, which an employee shall be permitted to work;
- Schedule of Wages. (k) "Schedule of Wages" shall mean a schedule of the minimum wages or remuneration payable to an employee.

PART I.

Appoint-
ment of
Industrial
Standards
Officer. **3.** The Lieutenant-Governor in Council may appoint one or more persons as Industrial Standards Officers whose duty it shall be to assist in carrying out the provisions of this Act and of the regulations and schedules.

Powers and
duties of
officer. **4.** Every officer shall have such powers and duties as may be prescribed by this Act and regulations and shall have authority to conduct enquiries and investigations respecting all matters coming within the scope of this Act and of the regulations and shall, for such purposes, have all the powers, rights and privileges as a commissioner appointed under *The Public Enquiries Act*.

Rev. Stat.,
c. 20. **5.** The Minister may define and redefine zones in the various industries for the purpose of carrying out the provisions of this Act and the regulations.

Establish-
ment of
zones. **6.** The Minimum Wage Board shall have authority to enforce the provisions of this Act and of the regulations and schedules.

Powers of
Minimum
Wage Board,
Rev. Stat.,
c. 277, **7.** The Minister may, upon the petition of representatives of employees or employers in any industry, convene a conference

PART II.

Convening
of conference
on petition. **7.** The Minister may, upon the petition of representatives of employees or employers in any industry, convene a conference

ference or series of conferences of employees and employers engaged in such industry in any one or more zones, for the purpose of investigating or considering the condition of labour and the practices prevailing in such industry and for negotiating standard or uniform rates of wages and hours and days of labour in each industry in said zone or zones.

8. The employees and employers in attendance may formulate and agree upon a schedule of wages and of hours of labour for all or any class of employees in such industry within such zone or zones and the parties to every agreement entered into under the authority of this Act shall assist in maintaining the standard of wages and hours and days of labour provided for by any schedule affecting such parties. Formulation of schedules.

9. If, in the opinion of the Minister a schedule of wages and of hours of labour for any industry is agreed upon in writing by a proper and sufficient representation of employees and of employers, he may approve thereof, and upon his recommendation, the Lieutenant-Governor in Council may declare such schedule to be in force for a period not exceeding twelve months and thereupon such schedule shall be binding upon every employee and employer in such industry in such zone or zones to which such schedule applies. Power to declare schedules in force.

10. No such schedule shall become effective until ten days after publication of the order-in-council in the *Ontario Gazette*. Publication in Ontario Gazette.

11. Every employer affected by any schedule shall cause a copy of such schedule to be posted in a conspicuous place where his employees are engaged in their duties so that the same may be readily seen and read by all employees and further shall cause such schedule to be there maintained so long as it remains in force. Posting of schedule.

PART III.

12. The Minister may investigate and enquire into any partnership or association and if he considers any such partnership or association is being used for the purpose of defeating the provisions of this Act or the regulations, he may, in writing, declare any or every partner or member of such partnership or association an employee for the purpose of this Act and the regulations. Power to declare members of partnerships and associations.

13. Whenever a schedule is in force, the Minimum Wage Board may require any employer affected thereby to,—

- (a) furnish the name, address and age of all employees and such further information respecting wages, Furnishing of information by employers.
hours

hours and days and conditions of labour as may be required;

Production of records and furnishing of copies by employers.

- (b) produce for inspection at a place named by the Board any books, registers, pay-rolls, financial statements, attendance records, time records, contracts of employment and all such records as may be deemed necessary.

Regulations.

14. The Lieutenant-Governor in Council may make such regulations not inconsistent with this Act as he may deem necessary for carrying out the provisions of this Act and for the efficient administration thereof and such regulations shall be published in the *Ontario Gazette*, and upon being so published shall have the same force and effect as if enacted in this Act and such regulations may be repealed, altered or amended from time to time and such repeal, alteration or amendment shall be published in the *Ontario Gazette* and upon being so published shall have the same force and effect as if enacted in this Act.

Establishment of Board.

15. In every zone or group of zones to which any schedule applies, the employees and employers engaged in the industry to which such schedule applies may establish a board of not more than five members, one of whom may act as chairman, and such board shall hear complaints of employees and employers to whom such schedule applies, and shall generally assist in enforcing such schedule.

Violation of schedule by employer.

16.—(1) No employer shall pay or cause to be paid to any employee wages or remuneration of a sum less than is prescribed by any schedule nor shall he require or permit any employee to work a greater number of hours in each day or a greater number of days in each week than is prescribed by any schedule, which schedules apply to the industry in which the employee or employer is engaged and to the zone in which the employer's business is located or in which the work is performed.

Penalty.

(2) Everyone who violates any of the provisions of subsection 1 shall be guilty of an offence and shall be liable to a fine of not less than \$25 and not exceeding \$100, and in default of payment, to imprisonment for a term not to exceed three months, and in addition shall pay to the Minimum Wage Board, on behalf of the Provincial Treasurer, or of the employee in the discretion of the magistrate, the full amount of the wages then found to be unpaid under the provisions of the schedule and in default of payment the said amount of wages may be recoverable by distress at the instance of the Minimum Wage Board.

Violation.

17.—(1) No employee shall agree or consent to be employed for wages or remuneration of a sum less than he is entitled to by any schedule nor shall any employee work a greater number

of hours in each day, or a greater number of days in each week than is prescribed by any schedule, which schedules apply to the industry in which the employee or employer is engaged and the zone in which the employer's business is located or in which the work is performed.

(2) Everyone who violates any of the provisions of sub-Penalty. section 1 shall be guilty of an offence and shall be liable to a fine of not less than \$1 and not exceeding \$10 and in default of payment to not more than ten days imprisonment.

(3) Every person who violates any of the provisions of this Act or the regulations shall be guilty of an offence under this Act and shall, upon conviction, where no penalty has been specifically provided, be liable to a fine of not less than \$1 and not exceeding \$100 and in default of payment, to imprisonment for not more than thirty days. Violation of Act to be offence.

(4) Every penalty imposed for an offence under this Act shall be recoverable under *The Summary Convictions Act*. Recovery of penalties., Rev. Stat., c. 121

18.—(1) The provisions of *The Factory, Shop and Office Building Act, 1932, The Master and Servant Act, The Minimum Wage Act, The Public and Other Works Wages Act, The Wages Act, The Industrial Disputes Investigation Act, 1932, and The Woodmen's Employment Act, 1934*, shall be read and construed subject to the provisions of this Act, but in no case shall the wages prescribed by any schedule to this Act be for a less amount nor shall the hours of labour prescribed by any schedule to this Act be for a greater number of hours in each day or days in each week than is prescribed by any of such Acts. Application of other Acts. Rev. Stat., cc. 175, 176, 177, 277; 1932, cc. 20, 35; 1934, c. 66.

(2) The wage rates for women and girls prescribed by any schedule shall not be for lesser amounts nor shall the number of hours of labour in each day or the number of days of labour in each week be greater than is provided in *The Minimum Wage Act* or *The Factory, Shop and Office Building Act, 1932*, and the regulations thereunder. Wages of women and girls. Rev. Stat., c. 277; 1932, c. 35.

(3) The wage rates for apprentices to whom *The Apprenticeship Act, 1928*, applies shall be the rates provided under the said Act and the regulations thereunder. Wages of apprentices, 1928, c. 25.

19. This Act shall not extend to persons employed by the Government of the Province of Ontario or by any of the Departments thereof or to any municipal corporation or by any board or commission created by any Act of this Legislature. Where Act not to apply.

20. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 29.

An Act to amend The Insurance Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Insurance Amendment Act, 1935.*

LIFE INSURANCE

Rev. Stat.,
c. 222, s. 119,
re-enacted.

2. Section 119 of *The Insurance Act* is repealed and the following substituted therefor:

Interpretation.

119. In this Part, unless the context otherwise requires,—

"Adopted
child."

1. "Adopted child" means a person who has been adopted by another person as his child and by reason thereof is entitled under the law of the place of adoption to inherit real property from that other person, if he dies intestate;

"Adopting
parent."

2. "Adopting parent" means a person who has adopted another person as his child and by reason thereof is entitled under the law of the place of adoption to inherit real property from that other person, if he dies intestate;

"Bene-
ficiary."

3. "Beneficiary" means a person designated or appointed as one to whom or for whose benefit insurance money is to be payable;

"Child" and
"issue."

4. "Child" and "issue" include an adopted child;

"Contract,"
"Contract of
Insurance,"
"Contract of
Life
Insurance."

5. "Contract," "contract of insurance" and "contract of life insurance" mean a contract of life insurance and include any other contract which an insurer may issue under the authority of a license to transact life insurance;

6. "Court" means the *Suprême Court* or a judge "Court." thereof;
7. "Declaration" means an instrument in writing "Declara-
signed by the insured, attached to or endorsed tion."
on a policy, or an instrument in writing, signed
by the insured in any way identifying the
policy or describing the subject of the declara-
tion as the insurance or insurance fund or a
part thereof or as the policy or policies of the
insured or using language of like import, by
which the insured designates or appoints a
beneficiary or beneficiaries, or alters or revokes
the designation or appointment of a beneficiary
or beneficiaries, or apports or reapports,
or appropriates or reappropriates, insurance
money between or among beneficiaries;
8. "Foreign jurisdiction" means any jurisdiction "Foreign
other than the Province; jurisdic-
tion "
9. "Fraternal society" means a society, order or "Fraternal
association incorporated for the purpose of society."
making with its members only and not for
profit contracts of life insurance under which
benefits may be paid only to its members or
their beneficiaries, in accordance with its
constitution and laws and the provisions of
this Act;
10. "Instrument in writing" includes a last will; "Instrument
in writing."
11. "Insurance" means life insurance; "Insurance."
12. "Insurance money" includes all insurance "Insurance
money, benefits, surplus, profits, dividends, money."
bonuses and annuities payable by an insurer
under a contract of insurance;
13. "Insured" means the person who makes a "Insured."
contract with an insurer and, if the context so
requires, includes the person whose life is
insured;
14. "Insurer" includes any corporation, or any "Insurer,"
society or association, incorporated or unin-
corporated, any fraternal society or any person
or partnership, or any underwriter or group of
underwriters, that undertakes or effects, or

agrees or offers to undertake or effect, a contract of insurance;

"Judge."

15. "Judge" means a judge of the court;

"Parent,"
"Father,"
"Mother."

16. "Parent," "father" and "mother" include an adopting parent of the same sex respectively;

"Person."

17. "Person" includes firm, partnership, corporation and unincorporated society or association;

"Premium."

18. "Premium" means the single or periodical payment to be made for the insurance, and includes dues and assessments.

Rev. Stat.,
c. 222, s. 120,
subs. 2,
re-enacted.

3. Subsection 2 of section 120 of *The Insurance Act* is repealed and the following substituted therefor:

(2) This Part shall apply to every contract of life insurance made in the Province before the date on which this Part came into force, where the maturity of the contract had not occurred before that date.

Rev. Stat.,
c. 222, s. 123,
subs. 1,
amended.

4.—(1) Subsection 1 of section 123 of *The Insurance Act* is amended by striking out the words "other than a fraternal society" in the second line so that the said subsection shall now read as follows:

Contents
of policy.

(1) Every policy issued after the coming into force of this Part by an insurer shall state the name or sufficient designation of the insured, of the person whose life is insured, and of the beneficiary, the insurance money payable, the manner of payment, the premium, and the facts which determine the maturity of the contract.

Rev. Stat.,
c. 222, s. 123,
subs. 2,
amended.

(2) Subsection 2 of the said section 123 is renumbered section 123*a* and is amended by striking out the words "is less than one thousand dollars" in the second line and inserting in lieu thereof the words "does not exceed two thousand dollars" so that the said subsection shall now read as follows:

Payment of
policy not
exceeding
\$2,000.

123*a*. Where the amount of insurance money, exclusive of dividends and bonus, does not exceed two thousand dollars, the policy, notwithstanding that it is expressed to be payable to a named or designated beneficiary, may provide that the insurance money may be paid to any relative by blood or connection by marriage of the insured or any other person appearing to the insurer to be equitably entitled to

the same by reason of having incurred expense for the maintenance, medical attendance or burial of the insured or to have a claim against the estate of the insured in relation thereto.

(3) The said section 123 is amended by adding thereto the following subsections: Rev. Stat., c. 222, s. 123, amended.

- (2) Every policy shall state the period of grace within which the premiums may be paid and the terms and conditions upon which the policy may, if it shall lapse, be reinstated, and shall indicate the amount (if any), of cash surrender, or loan value and the options (if any) of the insured as to paid up or extended insurance respectively provided by the policy.
- (3) Every policy shall further indicate whether or not it will participate in any surplus or profits which may be declared.
- (4) Every policy which includes disability insurance shall further state what notice of the disablement of the insured shall be given to the insurer.
- (5) This section shall not apply to a contract of insurance made by a fraternal society.

5. Subsection 3 of section 124 of *The Insurance Act* is repealed and the following substituted therefor: Rev. Stat., c. 222, s. 124, subs. 3, re-enacted.

- (3) In the case of a contract of insurance made by a fraternal society, the policy, the Act or instrument of incorporation of the society, its constitution and laws and the amendments validly made thereto, and the application for the contract and medical examination of the applicant as signed by him shall constitute the contract between the society and its member. Contract of fraternal society.

6. Sections 125, 126 and 127 of *The Insurance Act* are repealed and the following substituted therefor: Rev. Stat., c. 222, ss. 125, 126 and 127, re-enacted.

- 125.—(1) The applicant for a contract and the person whose life is to be insured shall each disclose to the insurer in the application for the contract, on the medical examination (if any), or in any statements or answers furnished in lieu of a medical examination every fact within his knowledge which is material to the contract, and a failure to disclose or misrepresentation of any such fact by either person shall render the contract voidable at the instance of the insurer. Disclosure and misrepresentation by insured.

Statements
incontestable
after two
years.

- (2) The statements made by the insured, or the person whose life is insured, in the application, on the medical examination (if any), or in any statements or answers furnished in lieu of a medical examination other than fraudulent statements or statements erroneous as to age, shall be deemed to be true and incontestable after the contract has been in force for two years during the lifetime of the person whose life is insured, but this provision shall not apply with respect to disability insurance or double indemnity insurance.

Disclosure
and mis-
representa-
tion by
insurer.

126. A failure to disclose or misrepresentation of a fact material to the contract by the insurer shall render the contract voidable at the instance of the insured; provided that in the absence of fraud the contract shall not by reason of such failure to disclose or misrepresentation be voidable after the contract has been in force for two years during the lifetime of the person whose life is insured.

Materiality.

127. The question of materiality shall be one of fact.

Rev. Stat.,
c. 222, s. 130,
subs. 1,
amended.

7. Subsection 1 of section 130 of *The Insurance Act* is amended by striking out the words "a contract providing for the payment of premiums weekly," in the fourth and fifth lines and inserting in lieu thereof the words "an industrial contract," so that the said subsection shall now read as follows:

Thirty days
of grace for
payment of
premiums.

- 130.—(1) Where any premium (not being the initial premium), under any contract is unpaid, the insured, his assign or agent, or any beneficiary, may, within a period of grace of thirty days (or, in the case of an industrial contract, four weeks) from and excluding the day on which the premium is due, pay, deliver or tender to the insurer at its head office, or at its chief agency in the Province, or to its collector or authorized agent, the sum in default.

Rev. Stat.,
c. 222,
amended.

8. *The Insurance Act* is amended by adding thereto the following section:

Reinstatement
of
contract
after lapse.

- 130a.—(1) Where a contract lapses and its cash value has not been paid and any options as to paid up or extended insurance have not been exercised, the insured shall be entitled to have the contract reinstated upon application within two years, or in the case of an industrial contract within one year, from the date of lapse upon the production of evidence of good health and other evidence of insurability of

the person whose life was insured satisfactory to the insurer as at the date of the application for reinstatement and upon payment of all overdue premiums and other indebtedness to the insurer under the contract, with interest at such rate not exceeding six per centum per annum compounded annually, as the contract provides, and provided that no change has taken place in such good health and insurability subsequently to the date of such application and before the contract is reinstated.

- (2) Where an application is made to reinstate a contract and the contract is reinstated, section 125 shall ^{Application of section 125.} *mutatis mutandis* apply, and the period of two years referred to in subsection 2 of that section shall run from the date of reinstatement.

- (3) If the contract which lapsed provided that in the event of the suicide of the person whose life was insured within a period of time fixed thereby it should be void or that the amount payable thereunder should be reduced, and after the contract is reinstated such person commits suicide within a period of time commencing with the date of reinstatement and of the same duration as the period of time fixed by the contract, the reinstated contract shall be likewise void, or the amount payable thereunder shall be likewise reduced. ^{Suicide.}

- (4) This section shall not apply to a contract of insurance made by a fraternal society. ^{Application to fraternal societies.}

9. Section 132 of *The Insurance Act* is repealed and the following substituted therefor: ^{Rev. Stat., c. 222, s. 132, re-enacted.}

132. Where in a policy or declaration the insured appoints as beneficiaries or appoints or apports insurance-money to his "heirs," "legal heirs," "lawful heirs" or "next-of-kin," the insurance money shall be paid to the persons and in the shares provided by the law of the Province, state or country, in which the insured was domiciled at the date of his death respecting the distribution of the personal property of an intestate. ^{Meaning of "heirs," "legal heirs," etc.}

10. Section 138 of *The Insurance Act* is repealed and the following substituted therefor: ^{Rev. Stat., c. 222, s. 138, re-enacted.}

138. A minor shall, after attaining the age of fifteen years, have the capacity of a person of full age: ^{Capacity of minors.}

- (a) To effect a contract of insurance on his own life and to deal with such contract;
- (b) To deal with a contract of insurance on his own life effected by him before attaining the age of fifteen years;
- (c) To deal with his interest in a contract of insurance effected on his life by another, whether effected before or after the minor attained the age of fifteen years;
- (d) If married, to effect a contract of insurance on the life of his wife or her husband or his or her children, as the case may be, and to deal with such contract.

Rev. Stat.,
c. 222, s. 140,
subs. 2,
re-enacted. **11.** Subsection 2 of section 140 of *The Insurance Act* is repealed and the following substituted therefor:

Preferred
bene-
ficiaries.

- (2) Subject to section 147*a*, preferred beneficiaries are the husband, wife, children, adopted children, grandchildren, children of adopted children, father, mother and adopting parents of the person whose life is insured.

Rev. Stat.,
c. 222, s. 142,
subs. 2,
re-enacted. **12.** Subsection 2 of section 142 of *The Insurance Act* is repealed and the following substituted therefor:

Declaration
by will.

- (2) A declaration contained in a will shall as against a subsequent declaration be deemed to have been made at the date of the will and not as if it had been made immediately before the death of the testator.

Other
declarations.

- (3) A declaration contained in an instrument purporting to be a will which has not been revoked otherwise than by operation of law shall be effective as a declaration, notwithstanding that the instrument is invalid as a testamentary instrument.

Rev. Stat.,
c. 222, s. 144,
re-enacted. **13.** Section 144 of *The Insurance Act* is repealed and the following substituted therefor:

Death of
ordinary
beneficiary
before
maturity of
contract.

- 144. Where there are several beneficiaries of whom one or more are ordinary beneficiaries and one or more of the ordinary beneficiaries die before the maturity of the contract, and no apportionment or other disposition of his or their shares is provided for in the contract or by a declaration, the share of any such deceased ordinary beneficiary, shall be payable to the

surviving

surviving designated beneficiary or beneficiaries, whether preferred or ordinary, and, if more than one, in equal shares but, if there is no surviving beneficiary, shall be payable to the insured or his estate.

14.—(1) Subsection 1 of section 145 of *The Insurance Act* is amended by striking out the words “so long as any of the class of preferred beneficiaries remains” in the fifth and sixth lines so that the said subsection shall now read as follows: Rev. Stat., c. 222, s. 145, subs. 1, amended.

145.—(1) Where the insured, in pursuance of the provisions of section 142, designates as beneficiary or beneficiaries, a member or members of the class of preferred beneficiaries, a trust is created in favour of the designated beneficiary or beneficiaries, and, the insurance money, or such part thereof as is or has been apportioned to a preferred beneficiary, shall not, except as otherwise provided in this Act, be subject to the control of the insured, or of his creditors, or form part of the estate of the insured. Trust in favour of preferred beneficiaries.

(2) Subsections 2 and 3 of the said section 145 are repealed and the following substituted therefor: Rev. Stat., c. 222, s. 145, subs. 2 and 3, re-enacted.

(2) The contract may provide or the insured may at any time direct by declaration that a preferred beneficiary shall be entitled only to the income from insurance money for life or for a period of time or subject to any limitation or contingency stated in the instrument. Right to income only.

(3) The provisions of this section are subject to any vested rights of beneficiaries for value and assignees for value, to the provisions hereinafter contained relating to preferred beneficiaries, and to any contingency or limitation stated in the instrument by which the insured designates a preferred beneficiary, provided that no provision in any instrument reserving to the insured the right to revoke or abridge the interest of a preferred beneficiary shall be effective so as to enable the insured to revoke or abridge that interest in favour of a person not in the class of preferred beneficiaries. Proviso: Vested rights of beneficiaries for value, etc.

15. Subsection 1 of section 147 of *The Insurance Act* is amended by striking out the words “the next following section” in the first and second lines and inserting in lieu thereof the words “section 148” so that the said subsection shall now read as follows: Rev. Stat., c. 222, s. 147, subs. 1, amended.

Meaning of
"wife" and
"children."

147.—(1) Subject to the provisions of section 148 where by the policy or by a subsequent declaration the insurance money or any part of it is made payable to or for the benefit of the wife of the person whose life is insured, his future wife, his wife and children or his future wife and children generally, or his children generally, the word "wife" means the wife living at the maturity of the contract, and the word "children" includes all the children of the person whose life is insured living at the maturity of the contract as well as the issue living at the maturity of the contract of any child of his who predeceases him, such issue taking by representation.

Rev. Stat.,
c. 222,
amended.

16. *The Insurance Act* is amended by adding thereto the following section:

Adoption.

147a. For the purposes of this Part an adopted child and its adopting parent shall from the date of the adoption be deemed to bear towards one another the relationship of preferred beneficiaries, and an adopted child and its natural parents shall from the date of the adoption be deemed to bear towards one another the relationship of ordinary beneficiaries, and in either case this provision shall apply in respect of insurance effected both before and after the date of adoption.

Rev. Stat.,
c. 222, s. 148,
subs. 1,
re-enacted.

17.—(1) Subsection 1 of section 148 of *The Insurance Act* is repealed and the following substituted therefor:

Right of
insured to
designate
alternate
beneficiary.

148.—(1) Subject to subsection 2 the contract may provide or the insured may at any time direct by declaration that if a preferred beneficiary shall die before the maturity of the contract, the insurance money or any part thereof appointed to the preferred beneficiary shall be payable to the insured, to his estate, or to any other person, whether that person is within the class of preferred beneficiaries or not.

Death of
preferred
beneficiary
before
maturity of
contract;
where
alternative
preferred
beneficiary
named.

(2) Where the contract provides or the insured by a declaration directs that insurance money shall go to a preferred beneficiary and in the event of the death of the preferred beneficiary to some other person in the class of preferred beneficiaries, and the first-named beneficiary dies, the insured may before the maturity of the contract exercise only the powers referred to in section 146.

Idem: Where
no alter-
native
preferred
beneficiary
named.

(3) In case of the death of a preferred beneficiary before the maturity of the contract and in the absence of

any

any provision in the contract or a declaration by which some other person in the class of preferred beneficiaries is to become entitled to the insurance money or any part thereof appointed to the deceased beneficiary in the event of his death or upon the happening of any other event, the insured may deal under section 142 with the insurance money or part thereof in the same manner and to the same extent as if the deceased beneficiary had not been a preferred beneficiary.

(2) Subsection 2 of the said section 148 is renumbered subsection 4 and is amended by striking out the words "Subject to subsection 1 and to any provision in the policy or a declaration" at the commencement and inserting in lieu thereof the words "Subject to the provisions of this section" and is further amended by adding at the end of clause (a) the words "such issue taking by representation" so that the said subsection shall now read as follows:—

Rev. Stat.,
c. 222, s. 148,
subs. 2,
renumbered
subs. 4 and
amended.

(4) Subject to the provisions of this section, the share of a preferred beneficiary who dies before the maturity of the contract shall be payable as follows:—

Disposal of
share of
deceased
preferred
beneficiary.

(a) If the deceased beneficiary was a child of the person whose life is insured, and has left issue surviving at the maturity of the contract, his share, and any share to which he would have been entitled if he had survived, shall be payable to such issue in equal shares, such issue taking by representation.

(b) If there is no person entitled under clause *a*, the share of such deceased beneficiary shall be payable to the surviving designated preferred beneficiary or beneficiaries in equal shares.

(c) If there is no person entitled under clauses *a* and *b*, the share of such deceased beneficiary shall be payable in equal shares to the wife or husband and the child or children of the person whose life is insured living at the maturity of the contract, and the issue then living of any deceased child of the person whose life is insured, such issue taking in equal shares the share to which his or their parent would have been entitled if living.

(d)

- (d) If there is no person entitled under clauses *a*, *b* and *c*, the share of such deceased beneficiary shall be payable to the insured, or his estate.

Rev. Stat.,
c. 222, s. 152,
re-enacted.

18. Section 152 of *The Insurance Act* is repealed and the following substituted therefor:

Disposal of
surplus or
profits where
preferred
beneficiary.

152.—(1) Notwithstanding the designation of a preferred beneficiary, any person who effects a participating contract may, during his lifetime receive for his own benefit the surplus or profits declared on the contract or may direct the insurer to apply them in payment or reduction of premiums, or in the purchase of paid up additions to the sum insured, or to hold them to his credit for accumulation, or to deal otherwise with such surplus or profits as the contract may provide. Upon the maturity of the contract all surplus or profits so held to the credit of the insured, or being due and unpaid, shall, subject to the contract and to any direction by the insured to the contrary, be added to the insurance money and the share of any beneficiary shall be increased accordingly.

Insurer may
apply
surplus to
keep
contract in
force.

(2) The insurer may apply for the purpose of keeping the contract in force any surplus or profits declared on the contract and held by the insurer to the credit of the contract or of the insured, or held for accumulation, and not otherwise applied or dealt with under subsection 1.

Obligation
of insurer.

(3) The insurer shall not be obliged to pay or apply any surplus or profits in a manner contrary to the terms of the contract or of any subsequent agreement.

Rev. Stat.,
c. 222, s. 153,
amended.

19. Section 153 of *The Insurance Act* is amended by adding thereto the following subsections:

Where
payable to
minor,
lunatic, etc.,
Court may
make order.

(3) Where insurance money is made payable to a minor or other person under disability or to a trustee on behalf of a minor or person under disability, and where the insurance money or a part thereof is required for the maintenance or education of the minor or person under disability, the Court may, upon the application of the insured, upon at least ten days' notice to the insurer, make an order, on such terms as it may deem just, permitting the insured to surrender the contract to the insurer, or to borrow from the insurer on the security thereof and payment

by the insurer in accordance with such order shall discharge it from liability in respect of such payment.

- (4) Where a contract has been assigned as security for any loan or debt the rights of any beneficiary, whether ordinary or preferred, under such contract shall be affected only to the extent necessary to give effect to the rights of the assignee, and when the loan or debt is discharged the assignee shall furnish a certificate in writing to that effect and that the assignee has no further right, title or interest in the contract.
- Where contract has been assigned.

20. Section 154 of *The Insurance Act* is amended by inserting after the word "contract" in the first line the words "or any instrument in writing" so that the section shall now read as follows:

Rev. Stat., c. 222, s. 154, amended.

154. Where by a contract or any instrument in writing a person is to become entitled to insurance money only in the event of the death of another person named as a beneficiary it shall not be necessary for such first mentioned person to join in any surrender, assignment or disposal of the contract.
- Consent of contingent beneficiary not necessary.

21. Subsection 1 of section 155 of *The Insurance Act* is amended by striking out the words "a subsequent" in the second line and inserting in lieu thereof the word "an" so that the subsection shall now read as follows:

Rev. Stat., c. 222, s. 155, subs. 1, amended.

- 155.—(1) Where the insurance money is payable in instalments and the contract, or an instrument in writing signed by the insured and delivered to the insurer, expressly provides that the beneficiary shall not have the right to commute the instalments or to alienate or assign his interest therein, the insurer shall not commute the instalments or pay them to any person other than the beneficiary, and the instalments shall not, in the hands of the insurer, be subject to legal process except in an action to recover for necessities supplied to the beneficiary or his or her infant children.
- Dealing with insurance money payable in instalments.

22. Section 156 of *The Insurance Act* is repealed and the following substituted therefor:

Rev. Stat., c. 222, s. 156, re-enacted.

- 156.—(1) Subject to the provisions of this Part relating to preferred beneficiaries, where it is so expressly provided in the contract or by an agreement in writing with the insurer or by a declaration, the
- Insurer holding insurance money after maturity of contract.

insurer may hold the insurance money or any part thereof after maturity of the contract subject to the order of the beneficiary, or upon such trusts or other agreements for the benefit of the beneficiary as may be provided in the contract, agreement or declaration, allowing and paying for the term during which the insurer retains such insurance money or any part thereof, interest thereon at a rate not less than that specified in the contract, agreement or declaration, or, if no rate be agreed upon, at the rate declared from time to time by the insurer in respect to insurance money so held by it; provided that the insurer shall not be bound to carry out the terms of any declaration to which it has not agreed in writing.

Validity of
testa-
mentary
provisions.

- (2) Where under subsection 1 a contract, agreement, order, declaration or trust provides that a certain payment or disposition of the insurance money shall be made after the death of any party to the contract or agreement or of any person named therein or in the order or declaration or of a beneficiary under the trust, as the case may be, such provision shall, if testamentary, not be invalid by reason only that the requirements respecting the execution of a will have not been complied with.

Rev. Stat.,
c. 222, s. 158,
subs. 2,
re-enacted.

23. Subsection 2 of section 158 of *The Insurance Act* is repealed and the following substituted therefor:

Proof of
name and
age of
beneficiary.

- (2) Where the insurance money or part thereof is payable to or for the benefit of a beneficiary, the insurer shall be entitled to reasonably sufficient proof of the name and age of the beneficiary.

Rev. Stat.,
c. 222, s. 159,
subs. 2,
re-enacted.

24. Subsection 2 of section 159 of *The Insurance Act* is repealed and the following substituted therefor:

Where
payable.

- (2) Insurance money shall be payable in the province in which the insured is domiciled at the time of death, or in which he is domiciled when it becomes payable otherwise than by reason of death; or, if he was not or is not then domiciled in Canada and the contract does not otherwise provide, shall be payable at the head office of the insurer in Canada.

How
payable.

- (3) Every amount to be paid to or by an insurer under a contract shall be payable in lawful money of Canada, unless the contract expressly provides for payment in another currency.

- (4) In every contract, whether the contract by its terms provides for payment in Canada or elsewhere, amounts expressed in dollars shall mean lawful dollars of Canadian currency, unless some other currency is specifically provided for in the contract. Meaning of "Dollars."

25. *The Insurance Act* is amended by adding thereto the following section: Rev. Stat., c. 222, amended.

- 159a. Where insurance money is payable in respect of a policy on the life of a person who is at the date of his death domiciled elsewhere than in Canada to another person domiciled elsewhere than in Canada, and there is no person in Canada entitled to receive it, the insurer may pay it to the person to whom it is so payable, or to any other person entitled to receive it on his behalf by the law of the domicile of the payee. Payments outside of Canada.

26. Subsections 1, 2 and 3 of section 160 of *The Insurance Act* are repealed and the following substituted therefor: Rev. Stat., c. 222, s. 160, subss. 1, 2 and 3 re-enacted.

- 160.—(1) Where the insurer admits the validity of the contract but does not admit the sufficiency of the proof furnished by the claimant of the maturity of the contract, or of the age of the person whose life is insured, or of the right of the claimant to receive payment of the insurance money, and where there is no other question in issue, except a question under subsection 2, the insurer or the claimant may, before or after action brought, upon at least thirty days' notice apply to the Court for a declaration as to the sufficiency of the proof furnished, and the Court may direct what further proof shall be furnished, or, in special circumstances, may dispense with further proof. Application to Court for declaration as to sufficiency of proofs.
- (2) Where the claimant alleges that the person whose life is insured is presumed to be dead by reason of his not having been heard of for seven years, and where there is no other question in issue except a question under subsection 1, the insurer or the claimant may, before or after action brought, upon at least thirty days' notice, apply to the Court for a declaration as to the presumption of death. Declaration as to presumption of death.
- (3) If the Court finds that the proof of the maturity of the contract or of the age of the person whose life is insured or of the right of the claimant to receive payment is sufficient, or that a presumption of death Effect of order of Court.

has been established, or makes an order directing what further proof shall be furnished or in special circumstances dispensing with further proof, the finding or order of the Court shall, subject to appeal, be conclusive and binding upon the applicant and all parties notified of the application and the Court may make such order as to the payment of the insurance money and as to the costs as to it may seem just.

Rev. Stat.,
c. 222, s. 162,
subs. 3,
amended.

27.—(1) Subsection 3 of section 162 of *The Insurance Act* is amended by adding at the end thereof the words “whichever period shall first expire, but not afterwards” so that the said subsection shall now read as follows:

- (3) Where the death of the person whose life is insured is unknown to the person entitled to claim under the contract, an action or proceeding may be commenced within the prescribed period or within one year and six months after the death becomes known to him whichever period shall first expire but not afterwards.

Rev. Stat.,
c. 222, s. 162,
subs. 4,
amended.

(2) Subsection 4 of the said section 162 is amended by striking out the words “within the prescribed period or” in the third line so that the said subsection shall now read as follows:

- (4) Where an action or proceeding is prematurely brought, the plaintiff may commence a new action or proceeding at any time within six months after the final determination of the first action or proceeding.

Rev. Stat.,
c. 222, s. 164,
subs. 1,
re-enacted.

28. Subsection 1 of section 164 of *The Insurance Act* is repealed and the following substituted therefor:

Payment of
share of
minor,
lunatic, etc.

- (1) Where no trustee is appointed to receive the share to which a minor or other person under disability is entitled, or where a trustee is named but refuses or neglects to act or dies or otherwise becomes incapable of acting, the share of the minor or other person under disability may be paid to a guardian or tutor or trustee of the minor or to a curator, committee or trustee of such other person under disability duly appointed by the Court.

Rev. Stat.,
c. 222, s. 165,
subs. 1,
re-enacted.

29. Subsection 1 of section 165 of *The Insurance Act* is repealed and the following substituted therefor:

Insurer may
obtain order
for payment
into Court.

- (1) Where the insurer admits liability for the insurance money or any part thereof, and it appears to the insurer that,—

(a)

- (a) there are adverse claimants; or,
- (b) the place of abode of a person entitled is unknown; or,
- (c) there is no person capable of giving or authorized to give, a valid discharge;

the insurer may, at any time after the expiration of one month from the maturity of the contract, apply to the Court for an order for payment of the money into Court, and the Court may upon such notice (if any) as it thinks necessary make an order accordingly.

AUTOMOBILE INSURANCE

30.—(1) Section 174 of *The Insurance Act* as enacted by Rev. Stat., c. 222, s. 174 section 2 of *The (Automobile) Insurance Act, 1932*, is amended (1932, c. 25, s. 2), amended. by striking out the first twelve lines and inserting in lieu thereof the following:

174.—(1) Subject to the provisions of subsections 2 and 3 Statutory conditions. and sections 175 and 183j, —

- (a) the conditions set forth in this section shall be statutory conditions and deemed to be part of every contract of automobile insurance and shall be printed on every policy with the heading “Statutory Conditions”;
 - (b) no variation or omission of a statutory condition shall be valid nor shall anything contained in any addition to a statutory condition or in the description of the subject matter of the insurance be effective in so far as it is inconsistent with, varies or avoids any such condition.
- (2) Where the automobile insurance is neither insurance under a motor vehicle liability policy nor insurance against loss of or damage to an automobile designated in the policy, the Superintendent may prescribe appropriate conditions or may omit, vary or add to the statutory conditions.
- (3) The Superintendent may approve a form of motor vehicle liability policy appropriate to insure a limited or restricted use of the automobile and in that case

the statutory conditions shall be deemed to be amended so far as is necessary to give effect to the terms and conditions of the policy so approved and the provisions of sections 183*a* and 183*b* shall not apply.

Rev. Stat.,
c. 222, s. 174,
condition 2
(1932,
c. 25, s. 2),
re-enacted.

(2) Condition 2 of the said section 174 is repealed and the following substituted therefor:

**Prohibited Use
by Insured**

2.—(1) The insured shall not use or drive the automobile:

- (a) whilst under the influence of intoxicating liquor or drugs to such an extent as to be for the time being incapable of the proper control of the automobile; or
- (b) whilst he is not for the time being qualified and authorized by law to drive or operate the automobile or, in case the law does not prescribe any qualification or authority whilst under the age of sixteen years; or
- (c) for any illicit or prohibited trade or transportation; or
- (d) in any race or speed test.

**Prohibited Use
by Others**

(2) The insured shall not permit, suffer, allow or connive at the use of the automobile:

- (a) by any person under the influence of intoxicating liquor or drugs to such an extent as to be for the time being incapable of the proper control of the automobile; or
- (b) by any person who is not for the time being qualified and authorized by law to drive or operate the automobile or, in case the law does not prescribe any qualification or authority by any person under the age of sixteen years; or
- (c) for any illicit or prohibited trade or transportation; or
- (d) in any race or speed test.

Rev. Stat.,
c. 222, s. 174,
condition 5
(1932,
c. 25, s. 2),
amended.

(3) Condition 5 of the said section 174 is amended by adding thereto the following paragraph:

Repairs

(3*a*) Except where an appraisal has been had, the insurer, instead of making payment may, within a reasonable time, repair, rebuild or replace the property damaged or lost with other of like kind and quality, giving written notice of its intention so to do within seven days after the receipt of the proofs of loss; but there can be no abandonment of the automobile to the insurer without its consent. In the event of the insurer exercising such option, the salvage, if any, shall revert to it.

Rev. Stat.,
c. 222, s. 174,
condition 11
(1932,
c. 25, s. 2),
amended.

(4) Condition 11 of the said section 174 is amended by adding thereto the following paragraph:

(3) In this condition the expression "paid premium" means premium actually paid by the insured to the insurer or its agent, and does not include any premium or part thereof paid to the insurer by an agent unless actually paid to the agent by the insured.

31. Section 181 of *The Insurance Act* as enacted by section 2 of *The (Automobile) Insurance Act, 1932*, is repealed and the following substituted therefor:

Rev. Stat.,
c. 222, s. 181
(1932,
c. 25, s. 2),
re-enacted.

181.—(1) The insurer, upon making any payment or assuming liability therefor under a contract of automobile insurance, shall be subrogated to all rights of recovery of the insured against any person and may bring action in the name of the insured to enforce such rights.

Subroga-
tion.

(2) If the net amount recovered, after deducting the costs of such recovery is not sufficient to provide a complete indemnity for the loss or damage suffered, such amount shall be divided between the insurer and the insured in the proportions in which such loss or damage has been borne by them respectively.

32. Subsection 1 of section 183*a* of *The Insurance Act* as enacted by section 2 of *The (Automobile) Insurance Act, 1932*, is amended by striking out the words “or is responsible for the use of” in the third line so that the subsection shall now read as follows:

Rev. Stat.,
c. 222,
s. 183*a*,
subs. 1
(1932,
c. 25, s. 2,
amended.

183*a*.—(1) Every owner's policy shall insure the person named therein, and every other person who, with his consent, uses any automobile designated in the policy, against the liability imposed by law upon the insured named therein or upon any such other person for loss or damage,—

Coverage
of owner's
policy.

(*a*) arising from the ownership, use or operation of any such automobile within Canada or the United States of America, or upon a vessel plying between ports within those countries; and,

(*b*) resulting from,

(i) bodily injury to or death of any person; or,

(ii) damage to property; or,

(iii) both.

33. Clause *b* of section 183*d* of *The Insurance Act* as enacted by section 2 of *The (Automobile) Insurance Act, 1932*, is amended by striking out the words “any person insured by the policy, or the children, wife or husband of any such person” in the second and third lines and inserting in lieu

Rev. Stat.,
c. 222,
s. 183*d*,
cl. (*b*), (1932,
c. 25, s. 2),
amended.

thereof

thereof the words "the insured or the son, daughter, wife, husband, mother, father, brother or sister of the insured" so that the clause shall now read as follows:

- (b) for loss or damage resulting from bodily injury to or the death of the insured or the son, daughter, wife, husband, mother, father, brother or sister of the insured; or

Rev. Stat.,
c. 222,
s. 183*e* (1932,
c. 25, s. 2),
amended.

34. Section 183*e* of *The Insurance Act* as enacted by section 2 of *The (Automobile) Insurance Act, 1932*, is amended by striking out the word "for" where it precedes the words "bodily injury" in the third and sixth lines and inserting in lieu thereof the words "against loss or damage resulting from" so that the said section shall now read as follows:

Minimum
liability
under policy.

183*e*. Every owner's policy and driver's policy shall insure, in case of bodily injury or death, to the limit of at least \$5,000 (exclusive of interest and costs) against loss or damage resulting from bodily injury to or the death of any one person, and, subject to such limit, for any one person so injured or killed, of at least \$10,000 (exclusive of interest and costs) against loss or damage resulting from bodily injury to or death of two or more persons in any one accident, or, in case of property damage, to the limit of at least \$1,000 (exclusive of interest and costs) for damage to property resulting from any one accident.

Rev. Stat.,
c. 222,
s. 183*f*
(1932,
c. 25, s. 2),
amended.

35. Section 183*f* of *The Insurance Act* as enacted by section 2 of *The (Automobile) Insurance Act, 1932*, is amended by inserting after the word "in" in the third line the words "whole or in part in any or all of" and by striking out the words "and in statutory condition 3" in the last line of clause *a* so that the said section shall now read as follows:

Extended
coverage.

183*f*. The insurer may, by an endorsement on the policy and in consideration of an additional stated premium, and not otherwise, extend the coverage in whole or in part in any or all of the following respects:

- (a) in the case of an owner's policy or a driver's policy, the matters mentioned in paragraphs *d*, *e* and *f* of section 183*d*; and
- (b) in the case of an owner's policy, the operation or use of automobiles not owned by nor registered in the name of the insured; and
- (c) in the case of an owner's policy or a driver's policy, such other matters as may be approved by the Superintendent.

36.—(1) Subsection 5 of section 183*h* of *The Insurance Act* Rev. Stat., c. 222, s. 183*h*, subs. 5 (1932, c. 25, s. 2), amended. as enacted by section 2 of *The (Automobile) Insurance Act, 1932*, is amended by inserting the words “coverage or extended” after the word “excess” in the fourth line so that the said subsection shall now read as follows:

- (5) Where a policy provides for coverage in excess of the limits mentioned in section 183*e* or for extended coverage in pursuance of section 183*f* nothing in this section shall, with respect to such excess coverage or extended coverage, prevent the insurer from availing itself, as against any claimant, of any defence which the insurer is entitled to set up against the insured. Defence where excess or extended coverage.

(2) The said section 183*h* is further amended by adding thereto the following subsection: Rev. Stat., c. 222, s. 183*h* (1932, c. 25, s. 2), amended.

- (7) Where an insurer denies liability under a motor vehicle liability policy it shall have the right upon application to the court to be made a third party in any action to which the insured is a party and in which a claim is made by any party to the action for which it is or might be asserted indemnity is provided by the said policy. Insurer may be made third party.

37. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

CHAPTER 30.

An Act to amend The Insurance Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Insurance Amendment Act, 1935* (2).

Rev. Stat.,
c. 222, s. 1,
(1934, c. 22,
s. 2)
amended.

2. Paragraphs 1, 2, 24 and 30 of section 1 of *The Insurance Act* as enacted by section 2 of *The Insurance Act, 1934*, are repealed and the following substituted therefor:

"Accident
insurance."

1. "Accident insurance" means insurance by which the insurer undertakes, otherwise than incidentally to some other class of insurance defined by or under this Act, to pay insurance money in the event of accident to the person or persons insured, but does not include insurance by which the insurer undertakes to pay insurance money both in the event of death by accident and in the event of death from any other cause;

"Adjuster."

2. "Adjuster" means a person who, for compensation, not being a barrister or solicitor acting in the usual course of his profession or not being a trustee or an agent of the property insured, directly or indirectly solicits the right to negotiate the settlement of a loss, or holds himself out as an adjuster of losses, under fire or automobile insurance policies on behalf of the insurer or under fire insurance policies on behalf of the insured;

"Fraternal
society."

24. "Fraternal society" means a society, order or association incorporated for the purpose of making with its members only and not for profit, contracts of life insurance under which benefits may be paid only to its members or their beneficiaries, in accordance with its constitution and laws and the provisions of this Act;

30. "Inland transportation insurance" means insurance (other than marine insurance) against loss of or damage to property: "Inland transportation insurance."

(a) while in transit or during delay incidental to transit; or

(b) where, in the opinion of the Superintendent, the risk is substantially a transit risk.

3. Section 24 of *The Insurance Act* as amended by section 8 of *The Insurance Act, 1929*, and section 3 of *The Insurance Act, 1934*, is further amended by adding thereto the following subsection: Rev. Stat., c. 222, s. 24, amended.

- (1a) Where a question arises as to the class of insurance into which any specific contract of insurance or form of policy falls, the Superintendent may determine the question and his determination shall be effective and final for the purposes of this Act. Determination of classes of insurance by Superintendent.

4. Section 25 of *The Insurance Act* as amended by section 5 of *The Insurance Act, 1931*, and section 3 of *The Insurance Act, 1933*, is further amended by adding thereto the following subsection: Rev. Stat., c. 222, s. 25, amended.

- (7) A license shall not be granted to a corporation which is incorporated under the law of a legislative jurisdiction other than that of the Province of Ontario unless the head office and chief place of business of such corporation is situate within the boundaries of such legislative jurisdiction. License of extra-provincial or foreign corporation.

5. Section 92c of *The Insurance Act* as enacted by section 11 of *The Insurance Act, 1933*, is renumbered section 76c. Rev. Stat., c. 222, s. 92c (1933, c. 22, s. 11), re-numbered.

6. Clause c of subsection 1 of section 236 of *The Insurance Act* is amended by inserting after the word "week" in the second line the words "exclusive of hospital benefits not exceeding public ward rates" and after the word "hundred" in the last line the words "and fifty," so that the said clause shall now read as follows: Rev. Stat., c. 222, s. 236, subs. 1, cl. c, amended.

- (c) if it contracts for sick benefits for an amount in excess of twelve dollars per week, exclusive of hospital benefits not exceeding public ward rates, or for a funeral benefit in excess of two hundred and fifty dollars.

7. *The Insurance Act* is amended by adding thereto the following section: Rev. Stat., c. 222, amended.

Prohibition
against
public
adjusters
of motor
accident
claims.

263a.—(1) Subject to the provisions of subsection 2, no person shall, on behalf of himself or any other person, directly or indirectly:

- (a) solicit the right to negotiate, or negotiate or attempt to negotiate, for compensation, the settlement of a claim for loss or damage arising out of a motor vehicle accident resulting from bodily injury to or death of any person or damage to property on behalf of a claimant; or
- (b) hold himself out as a an adjuster, investigator, consultant or otherwise as an adviser, on behalf of any person having a claim against an insured for which indemnity is provided by a motor vehicle liability policy.

Exception.

- (2) This section shall not apply to a barrister or solicitor acting in the usual course of his profession.

Rev. Stat.,
c. 222,
amended.

8. The Insurance Act is amended by adding thereto the following section:

Preferential
rates for
groups of
persons
prohibited.

273a.—(1) No rating bureau and no insurer authorized to transact the business of insurance within Ontario shall fix or make any rate or schedule of rates or charge a rate for automobile insurance to any group of persons by reason of such group being engaged in any trade, calling, profession or occupation, or by reason of membership in any guild, union, society, club or association or by reason of common employment or by reason of common occupancy of the same building or group of buildings or for any other reason which would result in a lower cost to an individual in such group than such individual would have had to pay if insured individually; and every insurer or other person who violates the provisions of this section shall be guilty of an offence.

Exception
where
vehicles
owned
by same
person.

- (2) Nothing in this section contained shall be deemed to prohibit the fixing or charging of a special rate for the insurance of two or more motor vehicles owned by and registered in the name of the same person.

Commence-
ment of
Act.

9. This Act, except section 7, shall come into force on the day upon which it receives the Royal Assent. Section 7 shall come into force on the 1st day of July, 1935.

CHAPTER 31.

An Act to amend The Interpretation Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Interpretation Amendment Act, 1935.* Short title.

2. Section 31 of *The Interpretation Act* is amended by adding thereto the following clause: Rev. Stat., c. 1, s. 31, amended.

(xx) "Peace Officer" includes a mayor, warden, reeve, sheriff, deputy sheriff, sheriff's officer, and justice of the peace, and also the superintendent, governor, gaoler, keeper, guard or any other officer or permanent employee of a gaol or reformatory and any police officer, police constable, bailiff, constable or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process. "Peace Officer."

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 32.

An Act to amend The Judicature Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Judicature Amendment Act, 1935*.

Rev. Stat.,
c. 88, s. 15,
cl. 4,
re-enacted.

2. Clause *i* of section 15 of *The Judicature Act* is repealed and the following substituted therefor:

- (i) (i) In case bonds or debentures are secured by a mortgage or charge by virtue of a trust deed or other instrument and whether or not provision is contained in the trust deed or other instrument creating such mortgage or charge giving to the holders of such bonds or debentures or a majority, or a specified majority of them, power to sanction the sale, transfer or exchange of the mortgaged or charged premises for a consideration other than cash, and in case any action shall have been brought or shall be brought for the purpose of enforcing or realizing upon any such mortgage or charge, or for the execution of the trusts in any such trust deed or other instrument with or without other relief, the court may order a meeting or meetings of the holders of such bonds or debentures to be summoned and held in such manner as the court may direct, and if the holders of such bonds or debentures shall sanction or approve the sale, transfer or exchange of the property so mortgaged or charged for a consideration wholly or in part other than cash, the court may in such action order and approve such sale on such terms in all respects as the court shall think fair and reasonable having regard to the interests of all parties interested in the premises and property so mortgaged or charged, and in such order or by any subsequent order may make provision in such manner, on such terms in all respects as to the court

may

may seem proper, for the transfer to and vesting in the purchaser or his or its assigns of the whole or any part of the premises and property so mortgaged or charged and so sold, and for the payment of the proper costs, charges and expenses and remuneration of any trustee or trustees under such trust deed or other instrument and of any receiver or receiver and manager appointed by the court, and of any committee or other persons representing holders of such bonds or debentures, and for the distribution or other disposition of the proceeds of such sale, and for the protection of any or all persons whose interests are affected by such order, and for all such incidental, consequential and supplemental matters as the court may deem just.

- (ii) The approval of the holders of any such bonds or debentures may be given by resolution passed at a meeting, by the votes of the holders of a majority in principal amount of such bonds or debentures, represented and voting in person or by proxy, and holding not less than fifty per centum in principal amount, or such lesser amount as the court under all the circumstances may approve, of the issued and outstanding bonds or debentures in question.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

CHAPTER 33.

An Act to amend The Jurors' Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Jurors' Amendment Act, 1935.*

Rev. Stat.,
c. 96, s. 62,
subs. 2,
re-enacted.

2. Subsection 2 of section 62 of *The Jurors' Act* is repealed and the following substituted therefor:

When
actions to
be entered
for trial.

(2) Subject, in the case of an action in the Supreme Court, to any order made by a judge of that court, and in the case of an action in the county court, to any order made by a judge of the county court, actions to be tried by a jury whether in the Supreme Court or the county court, shall be entered for trial not later than six clear days before the first day of the sittings, provided that no order extending the time shall be made after the notice provided for by subsection 5 of this section has been given by the sheriff to the jurors.

Commence-
ment of
Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 34.

An Act to amend The Justices of the Peace Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Justices of the Peace* Short title.
Amendment Act, 1935.

2. Section 2 of *The Justices of the Peace Act* is amended by Rev. Stat.,
c. 118, s. 2,
amended. striking out the words "one or more" in the third line and by striking out all the words after the word "for" in the fourth line and inserting in lieu thereof the words "the Province of Ontario or any part thereof," so that the said section shall now read as follows:

2. The Lieutenant-Governor by commission under the Great Seal in pursuance of an Order-in-Council, Appoint-
ment by
Lieutenant-
Governor
in Council. whenever he thinks fit, may appoint justices of the peace in and for the Province of Ontario or any part thereof.

3. Sections 5, 8 and 9 of *The Justices of the Peace Act* are Rev. Stat.,
c. 118, ss. 5,
8 and 9
repealed. repealed.

4. Section 11 of *The Justices of the Peace Act* is amended Rev. Stat.,
c. 118, s. 11,
amended. by striking out the words "of qualification and" in the second line so that the said section shall now read as follows:

11. Every person appointed a justice of the peace shall Limitation
of time for
taking oaths. take the oaths of office and of allegiance within three months from the date of the commission under which he is appointed, otherwise the commission shall, so far as the same relates to him, be deemed to be absolutely revoked and cancelled.

5.—(1) Subsection 1 of section 12 of *The Justices of the Peace Act* is amended by striking out the words "of qualification and" Rev. Stat.,
c. 118, s. 12,
subs. 1,
amended.

in the first line, so that the said subsection shall now read as follows:

Filing oaths. (1) Every oath of office and of allegiance taken by a justice of the peace shall forthwith after the same is taken be transmitted or delivered by him to the clerk of the peace of the county or district within which the justice of the peace is to act, and shall be filed in the office of the clerk of the peace.

Rev. Stat.,
c. 118, s. 12,
subs. 2,
amended. (2) Subsection 2 of the said section 12 is amended by striking out the words "the oath of qualification and" in the second and third lines, so that the said subsection shall now read as follows:

Records. (2) The clerk of the peace shall keep posted up in his office a list of the justices of the peace who have taken the oaths of office and of allegiance, and the same shall be open to inspection without payment of any fee.

Rev. Stat.,
c. 118, s. 14,
amended. 6. Section 14 of *The Justices of the Peace Act* is amended by striking out all the words after the word "commission" in the fifth line so that the said section shall now read as follows:

New oath
not required
from
qualified
persons. 14. It shall not be necessary for any justice of the peace named in any commission who, after his appointment as such justice by a former commission, took the oath of office and the oath of allegiance to again take such oaths before acting under the new commission.

Rev. Stat.,
c. 118, s. 15,
subs. 1,
amended. 7.—(1) Subsection 1 of section 15 of *The Justices of the Peace Act* is amended by striking out the words "without having the prescribed property qualification, or" in the second and third lines and the words "of qualification and" in the fourth and fifth lines, so that the said subsection shall now read as follows:

Penalty
for acting
without
taking oaths. (1) When not otherwise provided, any person who acts as justice of the peace without having taken, subscribed and filed with the clerk of the peace the oaths of office and of allegiance, shall incur a penalty of \$50 recoverable under *The Summary Convictions Act*.

Rev. Stat.,
c. 121.

Rev. Stat.,
c. 118, s. 15,
subs. 2,
repealed. (2) Subsection 2 of the said section 15 is repealed.

Rev. Stat.,
c. 118, s. 17,
(1931, c. 29,
s. 2)
re-enacted;
s. 18 (1931,
c. 29, s. 2),
s. 19,
repealed. 8. Sections 17 and 18, as re-enacted by section 2 of *The Justices of the Peace Act, 1931*, and section 19 of *The Justices of the Peace Act* are repealed and the following substituted therefor:

17. Where a justice of the peace tries any offence,— Returns.

(a) under a municipal by-law, or

(b) under the direction of a magistrate or the
Inspector of Legal Offices,

he shall make such returns as the Inspector of Legal
Offices may direct.

9. Section 23 of *The Justices of the Peace Act* is amended Rev. Stat.,
c. 118, s. 23,
amended. by striking out the word "police" in the second line, by inserting after the word "magistrate" in the second line the words "and a justice of the peace," and by striking out the words "and a justice of the peace" in the third line so that the said section shall now read as follows:

23. In cases not provided for by the *Criminal Code* and Fees in
certain
cases not
otherwise
provided for. *The Summary Convictions Act* a magistrate and a justice of the peace not receiving a salary shall be entitled to receive from the county, or, in the case of a district, from the Province, \$2 for all services connected with the case where the time occupied by the hearing does not exceed two hours, and fifty cents for each additional hour above two hours.

10. This Act shall come into force on the day upon which Commence-
ment of Act. it receives the Royal Assent.

CHAPTER 35.

An Act to amend The Liquor Control Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Liquor Control Amendment Act, 1935*.

Rev. Stat.,
c. 257,
s. 10,
subs. 2,
cl. o.
re-enacted.

2. Clause *o* of subsection 2 of section 10 of *The Liquor Control Act* is repealed and the following substituted therefor:

Fees.

(*o*) Prescribing the fees payable in respect of permits, licenses and authorities issued under this Act, and prescribing the tax, fees and assessments payable by any brewer, distiller or manufacturer of native wine.

Rev. Stat.,
c. 257, s. 22,
re-enacted.

3. Section 22 of *The Liquor Control Act* is repealed and the following substituted therefor:

Audit of
receipts.

22. The receipts of the Board from all sources shall be checked and audited at least once in every calendar month by the Provincial Auditor or such other person as may be designated by the Lieutenant-Governor in Council.

Rev. Stat.,
c. 257, s. 68,
re-enacted.

4. Section 68 of *The Liquor Control Act* as amended by section 13 of *The Liquor Control Act, 1934*, is repealed and the following substituted therefor:

Stores
not to be
established
nor beer
or wine
sold where
C.T.A. in
force.

68. Nothing contained in this Act shall be construed as interfering with the operation of the *Canada Temperance Act* applicable to any part of Ontario, and no Government store shall be established, and beer and wine shall not be sold under the provisions of this Act and the regulations in any municipality in which the *Canada Temperance Act* has been brought into force and is still in force.

Rev. Stat.,
c. 257, s. 69,
subs. 1,
re-enacted.

5.—(1) Subsection 1 of section 69 of *The Liquor Control Act* as amended by subsection 1 of section 14 of *The Liquor Control Act, 1934*, is repealed and the following substituted therefor:

- (1) Except as provided by this Act and the regulations ^{Local option by-laws.} no Government store shall be established by the Board for the sale of liquor, and beer and wine shall not be sold in any municipality or portion of a municipality in which at the time of the coming into force of *The Ontario Temperance Act* a by-law passed under *The Liquor License Act* or under any other Act, was in force prohibiting the sale of liquor by retail unless and until a vote has been taken to establish Government stores or for the sale of beer and wine under the provisions of this Act and the regulations in the manner herein provided.

(2) Subsection 2 of the said section 69 as amended by ^{Rev. Stat., c. 257, s. 69, subs. 2, re-enacted.} subsection 1 of section 6 of *The Liquor Control Amendment Act, 1929*, and subsections 2, 3 and 4 of section 14 of *The Liquor Control Act, 1934*, is repealed and the following substituted therefor:

- (2) The council of any municipality in which such by-law ^{Submission of question.} was in force may submit to a vote of the persons qualified to be entered on the voters' list and to vote at elections to the Assembly in the municipality, one of the following questions:

(a) Are you in favour of the establishment of Government stores for the sale of liquor under *The Liquor Control Act*?

or

(b) Are you in favour of the sale of beer and wine under the provisions of *The Liquor Control Act*?

and if a petition in writing signed by at least twenty-five per centum of the total number of persons appearing by the last revised list of the municipality to be resident in the municipality and qualified to vote at elections to the Assembly, requesting the council to submit either of the said questions is filed with the clerk of the municipality and with the Board, it shall be the duty of the council to submit such question and no other to a vote of the electors, and if three-fifths of the electors voting upon the said question vote in the affirmative thereon it shall be lawful to establish Government stores in the municipality for the sale of liquor and it shall also be lawful for the Board to authorize the sale of beer and wine in such municipality under the provisions of this Act, and the regulations as the case may be, until another vote is taken as herein-after provided.

- (i) Not more than one of such questions shall be submitted to the electors of any municipality at one time; and
- (ii) Where petitions are presented praying for the submission of different questions, the question to be submitted shall be that asked for in the first petition filed.

Rev. Stat.,
c. 257, s. 69,
subs. 3,
re-enacted.

(3) Subsection 3 of the said section 69 as amended by subsections 5, 6 and 7 of section 14 of *The Liquor Control Act, 1934*, is repealed and the following substituted therefor:

Submission
of question
of
continuance
of stores.

- (3) Where a Government store or stores has or have been established or where the sale of beer and wine under the provisions of this Act and the regulations is authorized in any municipality, the council may, as provided in subsection 2, and subject to the same provisions and on petition as in the case provided for by the said subsection, shall submit to the electors in the same manner, whichever of the following questions may be applicable under the existing circumstances:

- (a) Are you in favour of the continuance of Government stores for the sale of liquor under *The Liquor Control Act*?

or

- (b) Are you in favour of the continuance of the sale of beer and wine under the provisions of *The Liquor Control Act*?

and if three-fifths of the electors voting on question (a) vote in the negative, from and after the 31st day of March in the next following year, any Government store established in the municipality shall be closed, or in the case of question (b), if three-fifths of the electors voting thereon vote in the negative, from and after the expiration of two months from the date of voting, the sale of beer and wine upon authorized premises shall be discontinued.

Rev. Stat.,
c. 257, s. 69,
subs. 18,
re-enacted.

(4) Subsection 18 of the said section 69 as amended by subsection 8 of section 14 of *The Liquor Control Act, 1934*, is repealed and the following substituted therefor:

Form of
ballot.

- (18) The form of ballot to be used in taking the vote under this section shall be one of the following according to the circumstances:

(FRONT)

(FRONT)

1.

		Are you in favour of the establishment of Government stores for the sale of liquor under The Liquor Control Act?	YES
			NO

2.

		Are you in favour of the sale of beer and wine under the provisions of The Liquor Control Act?	YES
			NO

3.

		Are you in favour of the continuance of Government stores for the sale of liquor under The Liquor Control Act?	YES
			NO

4.

		Are you in favour of the continuance of the sale of beer and wine under the provisions of The Liquor Control Act?	YES
			NO

(BACK)

No. 325

(Line of perforations here)

No. 325

Poll Book No. . . .

(Line of perforations here)

.....

D.R.O. Initials

Municipality of
Carleton Place
November 24, 1900
John Jones, Printer
Carleton Place.

Rev. Stat.,
c. 257, s. 69,
amended.

(5) The said section 69 is further amended by adding thereto the following subsections:

Authorities
for beer
and wine,—
issue of

(19) Notwithstanding anything contained in this Act or the regulations the Board may issue authorities for the sale of beer and wine in any municipality or portion thereof in which a Government store has heretofore been established under the provisions of this Act pursuant to a vote of the qualified electors without any further vote being taken.

Where
validity
of vote
questioned.

(20) Notwithstanding anything contained in this or any other Act where the validity of a vote on any question submitted under this Act is questioned, the provisions of Part IV of *The Municipal Act* relating to proceedings to declare a seat vacant, shall *mutatis mutandis* apply, and any notice of motion required under the provisions of *The Municipal Act* shall be served on such person as the judge or master in chambers may direct.

Rev. Stat.,
c. 233.

6. Section 69j of *The Liquor Control Act* as enacted by section 2 of *The Liquor Control Act, 1934*, is amended by adding thereto the following subsection:

Rev. Stat.,
c. 257, s. 69j
(1934,
c. 26, s. 2),
re-enacted.

Sale to or
consumption
by minors
prohibited.

(4) No person under the age of twenty-one years shall have, purchase or consume beer or wine on any authorized premises.

Rev. Stat.,
c. 257,
amended.

7. *The Liquor Control Act* is amended by adding thereto the following section:

Remission
of portion
of fees to
municipality.

69o. The Board may remit to any municipality in which authorities for the sale of beer and wine have been issued, such portion of the fees payable to the Board by the holders of authorities in such municipality as may be fixed from time to time by the Lieutenant-Governor in Council.

Rev. Stat.,
c. 257,
amended.

8. *The Liquor Control Act* is amended by adding thereto the following section:

First
offence,—
what to
be deemed.

99a. Any violation of the provisions of this Act or the regulations by any person shall be charged as a first offence notwithstanding such person has been previously convicted of an offence against the provisions of this Act or the regulations, provided, however, that such violation by such person shall be charged as a first offence only if the previous conviction occurred more than one year previous to the date of such violation.

9. Section 124 of *The Liquor Control Act* is repealed and the following substituted therefor: Rev. Stat., c. 257, s. 124, re-enacted.

124. Except as otherwise provided in this Act the penalties imposed by or under the authority of this Act shall be recoverable under *The Summary Convictions Act* and the provisions of the said Act shall apply to prosecutions thereunder. Penalties,—recovery of
Rev. Stat., c. 121.

10. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 36.

An Act to amend The Loan and Trust Corporations Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Loan and Trust Corporations Amendment Act, 1935*.

Rev. Stat.,
c. 223, s. 18a,
subs. 3
(1930,
c. 42, s. 5),
amended.

2. Subsection 3 of section 18a of *The Loan and Trust Corporations Act*, as enacted by section 5 of *The Loan and Trust Corporations Act, 1930*, is amended by inserting after the word "thereon" in the fifteenth line, the following words "and the bonds or debentures issued by any incorporated company in respect of which bonds or debentures annual or semi-annual subsidy payments sufficient to pay both principal and interest thereof are, by virtue of any general Act of the Dominion of Canada, payable by the Government of the Dominion of Canada to a trust company as trustee for the holders of such bonds or debentures," so that the said subsection shall now read as follows:

Quarterly
returns
by trust
companies
as to
deposits
and liquid
securities
available.

- (3) Every trust company receiving deposits in the manner authorized by subsection 3 of section 18 shall make a sworn return to the Registrar quarterly, on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the Registrar, showing the amount of such deposits and showing the amount of cash on hand and on deposit, and the amount of debentures, bonds, stock or other securities of, or guaranteed by the Dominion of Canada, and of, or guaranteed by, any province of Canada, less any incumbrances thereon, and the amount of bonds, debentures and other securities of any municipal corporation in Ontario or of any city in Canada, less any incumbrances thereon, and the bonds or debentures issued by any incorporated company in respect of which bonds or debentures annual or semi-annual subsidy payments sufficient to pay both principal

and

and interest thereof are, by virtue of any general Act of the Dominion of Canada, payable by the Government of the Dominion of Canada to a trust company as trustee for the holders of such bonds or debentures, and the principal amount of any moneys payable to the company on demand, the payment of which is secured by the mortgage or pledge of any of the securities hereinbefore in this subsection mentioned, as the said amounts stood at the end of the last preceding month, and including in such statement all such cash and securities and loans as defined in this subsection, whether owned by the company or held by it as guaranteed investments under the provisions of subsection 2 of section 17, or subsection 4 of section 18, and stating that the same were at the date mentioned in such return on hand and available for depositors.

3. Section 45 of *The Loan and Trust Corporations Act* as amended by section 8 of *The Loan and Trust Corporations Act, 1929*, is further amended by inserting after the word "thereon" in the twelfth line the words "and the bonds or debentures issued by any incorporated company in respect of which bonds or debentures annual or semi-annual subsidy payments sufficient to pay both principal and interest thereof are, by virtue of any general Act of the Dominion of Canada, payable by the Government of the Dominion of Canada to a trust company as trustee for the holders of such bonds or debentures," so that the said section shall now read as follows:

Rev. Stat.,
c. 223, s. 45
amended.

45. Every loan company receiving deposits shall make a sworn return to the Registrar quarterly on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the Registrar, showing the amount of such deposits and showing the amount of cash on hand and on deposit and the amount of debentures, bonds, stock or other securities of or guaranteed by the Dominion of Canada, and of or guaranteed by any province of Canada less any incumbrances thereon and the amount of bonds, debentures and other securities of any municipal corporation in Ontario or of any city in Canada, less any incumbrances thereon and the bonds or debentures issued by any incorporated company in respect of which bonds or debentures annual or semi-annual subsidy payments sufficient to pay both principal and interest thereof are, by virtue of any general Act of the Dominion of Canada, payable by the Government of the Dominion of Canada to a trust company as trustee for the holders of such

Quarterly
returns
by loan
company
as to
deposits.

bonds

bonds or debentures and the principal amount of any moneys payable to the company on demand, the payment of which is secured by the mortgage or pledge of any of the securities hereinbefore in this section mentioned as the said amounts stood at the end of the last preceding month, and stating that the same were at the date mentioned in such return on hand and available for depositors.

Rev. Stat.,
c. 223, s. 65,
subs. 2,
amended.

4. Subsection 2 of section 65 of *The Loan and Trust Corporations Act* is amended by inserting after the word "companies" in the third line the words "and to the sale of the assets of a loan corporation to a trust company" and by adding at the end thereof the words "provided that in the case of the sale of the assets of a loan corporation to a trust company, the purchasing trust company shall definitely set aside, in respect of any debentures and deposits of the vendor loan company of which the purchaser assumes payment, securities, including loans upon securities or cash, equal to the aggregate amount of such debentures and deposits in accordance with the provisions of subsection 2 of section 17 and subsection 4 of section 18 of this Act" so that the said subsection shall now read as follows:

Application
of sections
55 to 64
to trust
companies,
etc.

(2) Sections 55 to 64 shall apply to the purchase and sale of the assets of a trust company by and to another and to the amalgamation of trust companies and to the sale of the assets of a loan corporation to a trust company, such corporations being incorporated under the law of Ontario or having their head offices in Ontario, and registered under this Act; provided that, in the case of the sale of the assets of a loan corporation to a trust company, the purchasing trust company shall definitely set aside in respect of any debentures and deposits of the vendor loan company of which the purchaser assumes payment, securities, including loans upon securities or cash, equal to the aggregate amount of such debentures and deposits in accordance with the provisions of subsection 2 of section 17 and subsection 4 of section 18 of this Act.

Rev. Stat.,
c. 223, s. 136,
amended.

5. Section 136 of *The Loan and Trust Corporations Act* is amended by inserting the words "or 'Limited' or 'Incorporated' or any abbreviations thereof" after the word "Society" in the eighth line, so that the said section shall now read as follows:

Penalty
for using
words in
name of
company
while un-
registered.

136. Any person, partnership, organization, society, association, company or corporation, not being a corporation registered under this Act or under *The Insurance Act*, assuming or using in Ontario a name which includes any of the words "Loan," "Mortgage,"

gage," "Trust," "Trusts," "Investment," or "Guarantee" in combination or connection with any of the words "Corporation," "Company," "Association" or "Society" or "Limited" or "Incorporated" or any abbreviations thereof, or in combination or connection with any similar collective term, or assuming or using in Ontario any similar name, or any name or combination of names which is likely to deceive or mislead the public shall be guilty of an offence; and any person acting on behalf of such person, partnership, organization, society, association, company or corporation shall also be guilty of an offence; but where any of such combinations of words formed part of the corporate name of any combination theretofore duly incorporated by or under the authority of an Act of Ontario or of the Parliament of Canada the combination may continue to be used in Ontario as part of the corporate name.

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of
Act.

CHAPTER 37.

The Local Improvement Amendment Act, 1935.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Local Improvement Amendment Act, 1935*.

Rev. Stat.,
c. 235, s. 2,
subs. 1, cl. *p*,
amended. **2.**—(1) Clause *p* of subsection 1 of section 2 of *The Local Improvement Act* is amended by striking out the words “although the lifetime of the existing pavement has not expired” in the fourth and fifth lines and inserting in lieu thereof the words “whether or not the lifetime of the pavement has expired,” so that the said clause shall now read as follows:

(*p*) Subject to the provisions of section 25 for resurfacing with asphalt or other suitable material, a pavement having a foundation which in the opinion of the engineer is sufficient therefor whether or not the lifetime of the pavement has expired. When any work undertaken under this clause is such as might entitle it to a provincial grant, the approval of the Department of Public Highways shall be first had and obtained with respect to the suitability of the foundation.

Rev. Stat.,
c. 235, s. 2,
subs. 1,
amended. (2) Subsection 1 of the said section 2 of *The Local Improvement Act* is amended by adding thereto the following clause:

Cities of
over
300,000
widening
pavement
without
petition. (*r*) Subject to the provisions of section 25*a*, in a city having a population of over 300,000, widening a pavement on a street without a petition.

Rev. Stat.,
c. 235,
amended. **3.** *The Local Improvement Act* is amended by adding thereto the following section:

Cities
of over
300,000
widening
pavement,
corporation's
portion to
include
cost of
extra
width. **25*a*.**—(1) Where in a city of over 300,000 population, the work to be undertaken is the widening of a pavement on a street without a petition, the by-law for undertaking the work shall provide that in addition to the corporation's

corporation's portion of the cost including the portions otherwise provided for in this Act there shall also be included in such portion so much of the cost of the work as is incurred in the construction or reconstruction of the pavement to a width greater than the width of the pavement then existing on the street.

- (2) The work shall not be undertaken until the approval of the Ontario Municipal Board to the passing of the by-law therefor has been obtained, and the provisions of section 8 shall, *mutatis mutandis*, apply thereto.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

Approval of
Municipal
Board
requisite.

Commence-
ment of
Act.

CHAPTER 38.

An Act to amend The Master and Servant Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Master and Servant Amendment Act, 1935*.

Rev. Stat.,
c. 177,
amended.

2. *The Master and Servant Act* is amended by adding thereto the following section:

"Wages,"—
meaning
of.

1a. In this Act "wages" shall mean and include wages and salary whether the employment in respect of which the same is payable is by time or by the job or piece or otherwise.

Commence-
ment of
Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 39.

An Act respecting Mental Hospitals and Schools.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Mental Hospitals Act, 1935*, Short title.

PART I

2. In this Act and the regulations, unless the context ^{Interpre-} otherwise requires,— ^{tation.}

- (a) "Approved home" shall mean a home to which patients may be released from an hospital or hospital school in the manner provided under this Act and the regulations; ^{"Approved home."}
- (b) "Child" shall include son and daughter; ^{"Child."}
- (c) "Department" shall mean the Hospitals Division of the Department of Health for Ontario; ^{"Department."}
- (d) "Deputy Minister" shall mean the officer appointed to be in charge of the Department; ^{"Deputy Minister."}
- (e) "Examination unit" shall mean a place to which any person may be sent for observation, care and treatment in the manner provided under this Act and the regulations; ^{"Examination unit."}
- (f) "Habitue" shall mean an alcoholic or drug habitue; ^{"Habitue."}
- (g) "Hospital" shall mean an hospital established under this Act and shall include every approved home and examination unit connected therewith or forming part thereof; ^{"Hospital."}
- (h) "Hospital school" shall mean a school established under this Act for mental defectives and shall include ^{"Hospital school."}

every

every approved home and examination unit connected therewith or forming part thereof;

- "Inspector." (i) "Inspector" shall mean an officer of the Department appointed as an inspector for any of the purposes of this Act and the regulations;
- "Institution." (j) "Institution" shall mean and include hospital, hospital school and examination unit;
- "Mental defective" and "mentally defective person." (k) "Mental defective" and "mentally defective person" shall mean a person in whom there is a condition of arrested or incomplete development of mind, whether arising from inherent causes or induced by disease or injury, and who requires care, supervision and control for his own protection or welfare or for the protection of others;
- "Mental deficiency." (l) "Mental deficiency" shall mean the condition of mind of a mental defective;
- "Mentally ill person." (m) "Mentally ill person" shall mean a person other than a mental defective who is suffering from such a disorder of the mind that such person requires care, supervision and control for his own protection or welfare, or for the protection of others;
- "Mental illness." (n) "Mental illness" shall mean the condition of mind of a mentally ill person;
- "Minister." (o) "Minister" shall mean the Minister of Health for Ontario or such other member of the Executive Council as is charged for the time being with the administration of this Act;
- "Parent." (p) "Parent" shall include father and mother;
- "Patient." (q) "Patient" shall mean a person admitted under this Act and the regulations to an institution;
- "Regulations." (r) "Regulations" shall mean regulations made under the authority of this Act;
- "Steward." (s) "Steward" shall mean an officer of the Department who is appointed as the steward of an institution;
- "Superintendent." (t) "Superintendent" shall mean an officer of the Department who is appointed as the superintendent of an institution.

Application
to certain
institutions.

3. The provisions of this Act shall apply to such institutions as may from time to time be designated by the regulations.

4.—(1) Every hospital established under this Act shall be known as "The Ontario Hospital" followed by the name of the city or town at or near which such hospital is located, or such name as the Lieutenant-Governor in Council may designate. Names of hospitals.

(2) Every hospital school established under this Act shall be known as "The Ontario Hospital School" followed by the name of the city or town at or near which such hospital school is located, or such name as the Lieutenant-Governor in Council may designate. Names of hospital school.

5. Subject to the provisions of section 109, this Act shall not apply to,— Exempted from the Act.

(a) a sanitarium subject to *The Private Sanitarium Act*; Rev. Stat., c. 355.

(b) a psychiatric hospital established under *The Psychiatric Hospitals Act*. Rev. Stat., c. 354.

6.—(1) The Lieutenant-Governor in Council may make such regulations not inconsistent with this Act as are necessary for carrying out the provisions of this Act and for the efficient administration thereof, and such regulations shall have the same force and effect as if enacted in this Act and such regulations may be repealed, altered or amended from time to time in like manner. Regulations.

(2) Without limiting the generality of the provisions contained in subsection 1, it is declared that the powers of the Lieutenant-Governor in Council to make regulations in the manner set out in the said subsection shall extend to and include the following,—

(a) designating the institutions to which this Act shall apply;

(b) prescribing the district served and classes of patient to be treated in any institution;

(c) the powers and duties of the Deputy Minister;

(d) the appointment of superintendents, inspectors, stewards, assistants, clerks and other officers and employees and prescribing their powers and duties;

(e) regulating the inspection, superintendence, government, management, conduct, operation, maintenance, care and use of institutions and equipment;

(f) regulating the apprehension and admission of persons;

(g)

- (g) regulating the care, treatment, maintenance, conduct, discipline, custody, transfer, probation, release, discharge and apprehension of patients;
- (h) prescribing the forms relating to patients and their admission to, maintenance in, transfer, release or discharge from institutions, and all other forms required for the carrying out of the provisions of this Act and the regulations;
- (i) prescribing the records, books, accounting systems, audits, reports and returns to be made and kept respecting institutions;
- (j) regulating the financial business and affairs of institutions;
- (k) granting certificates of approval to approved homes and examination units and the fees payable therefor, and withdrawing such certificates;
- (l) fixing the situation, construction, equipment of approved homes and examination units;
- (m) declaring that any provisions of this Act and the regulations shall not be applicable to approved homes and examination units;
- (n) prescribing the charges which shall be paid by the party liable for the maintenance of patients in institutions;
- (o) prescribing the amounts to be paid by the Department for the care and maintenance of patients who are in an approved home; and
- (p) generally, the control of all other matters in any way relating to institutions, and for the better carrying out of the provisions of this Act.

PART II

ADMINISTRATION AND CONTROL

7.—(1) The administration of this Act and of every institution established thereunder, is vested in the Department, and the Deputy Minister shall be the chief executive officer of the Department responsible to and subject to the control of the Minister.

Adminis-
tration
vested in
the De-
partment.

(2) Where this Act and the regulations require or authorize the Deputy Minister to do any act, such act may be done by any person whom the Deputy Minister shall appoint to do such act. Delegation of authority by Deputy Minister.

8. Subject to section 7, the superintendent of an institution shall be in charge of and have control over the institution for which he is appointed, and shall superintend the conduct and management of all its affairs and control all officers, clerks, servants and employees thereof and all the patients therein. Superintendent to control the institution.

9. The Lieutenant-Governor in Council may appoint inspectors with such designations or titles as he may deem expedient. 1931, c. 80, s. 4, *amended*. Inspector.

10. The financial business and affairs of an institution shall be in charge of the steward appointed thereto who shall be responsible to the superintendent of such institution. Steward.

11.—(1) No action, prosecution or other proceedings shall be brought or be instituted against any officer, clerk, servant, or employee of the Department, or the Public Trustee, or against any other person for an act done in pursuance or execution or intended execution of any duty or authority under this Act or the regulations, or in respect of any alleged neglect or default in the execution of any such duty or authority, without the consent of the Attorney-General. Consent of Attorney-General for actions.

(2) All actions and prosecutions against any person for anything done or omitted to be done in pursuance of this Act shall be commenced within six months after the act or omission complained of has been committed, and not afterwards. Limitation of actions.

(3) No action shall lie against any institution or any officer, employee or servant thereof for the tort of any patient. Tort of patient.

12.—(1) No person shall,—

Offences under Act.

- (a) assist any patient in escaping or attempting to escape from an institution; or
- (b) do or omit an act for the purpose of aiding any patient in escaping or attempting to escape from an institution; or
- (c) abet or counsel any patient to escape; or
- (d) visit, assist, counsel or communicate with any patient after having been prohibited in writing from doing so by the Deputy Minister or any superintendent.

Penalty.

(2) Every one who violates any of the provisions of subsection 1 shall be guilty of an offence and shall be liable to a fine of not less than \$25 and not exceeding \$100 and, in default of payment, to not more than thirty days' imprisonment.

Penalties
for offences.

(3) Every person who violates any provision of this Act or the regulations shall be guilty of an offence under this Act and shall upon conviction, where no penalty has been specifically provided, be liable to a fine of not less than \$10 and not exceeding \$100 and, in default of payment, to imprisonment for not more than thirty days.

Recovery of
penalties.

(4) Every penalty imposed for an offence under this Act shall be recoverable under *The Summary Convictions Act*.

Rev. Stat.,
c. 121.

PART III

PATIENTS IN INSTITUTIONS

Applications
for
admission.

13.—(1) Application for the admission of any person as a patient to an institution shall be made either verbally or in writing to the Deputy Minister or to a superintendent and no person shall be admitted to an institution until a direction has been issued by the Deputy Minister or a superintendent or other person in charge of an institution, and no person may present himself or be sent for admission to an institution until notice is received from the Deputy Minister or a superintendent that accommodation in an institution is available for such person.

(2) Where a direction and notice have been issued under subsection 1, the person named therein shall present himself or be taken to the institution named therein and shall be admitted to such institution in accordance with the provisions of such direction and notice.

Certificate
or form not
to be issued
by
practitioner
related to
another
practitioner.

14.—(1) Except as permitted by the regulations or by the Minister, no certificate or form required by this Act or the regulations with respect to any person shall be made, issued, given or signed by any medical practitioner who is by blood or marriage closely related to or connected with any other medical practitioner who makes, issues, gives or signs a certificate or form with respect to the same person.

Practitioner
not to be
related to
person
examined.

(2) Except as permitted by the regulations or by the Minister, no certificate or form required by this Act or the regulations to be made, issued, given or signed by a medical practitioner respecting any person shall be made, issued, given or signed by a medical practitioner who is by blood or marriage closely related to or connected with such person.

15. Except as provided by this Act, the superintendent of an institution shall have full control over and the custody and care of the person of every patient in such institution and every patient shall be maintained, cared for, treated in, released and discharged therefrom only as may be provided by this Act and the regulations. Superintendent to be in charge of patients.

16. No form required by this Act and the regulations shall upon any application, by way of *certiorari*, or motion to quash or *habeas corpus*, be held insufficient or invalid for any irregularity, informality or insufficiency therein or by reason of any defect of form or substance. Forms not invalid for defects in form or substance.

17.—(1) Where the superintendent of any institution reports to the Deputy Minister that any patient therein requires hospital treatment which cannot be supplied therein, the Deputy Minister shall, if otherwise permitted by law, have authority to transfer such patient to a public hospital for treatment, which cannot be supplied in the institution. 1931, c. 80, s. 11 (4), *part amended*. Transfers to public hospitals.

(2) The charges for such hospital treatment shall be paid by such patient unless he is an indigent person, in which case the charges shall be payable in the same manner as charges for indigent patients are payable under *The Public Hospitals Act*, 1931. 1931, c. 80, s. 11 (4), *part amended*. Charges. 1930, c. 80.

18.—(1) Where the Deputy Minister or an inspector is authorized by the Minister to institute an inquiry into the management or affairs of any institution, or into any matter in connection therewith, or into the truth of any returns made by any officer thereof and deems that any person should give evidence before him on oath, the inspector or the Deputy Minister shall have the same power to summon such person to attend as a witness, to enforce his attendance and to compel him to produce documents and to give evidence as any court has in civil cases. Special inquiry by Deputy Minister or inspector.

(2) An inspector appointed under any other Act, the administration of which is under the charge of the Minister, may when authorized by the Minister exercise the powers conferred by subsection 1 in respect to any hospital or other institution subject to such other Act. 1931, c. 80, s. 5, *amended*.

PART IV

MENTALLY ILL AND MENTALLY DEFECTIVE PERSONS

19. Any person who is mentally ill may be admitted to an institution as a voluntary patient, and any person who is mentally Admission.

mentally ill or mentally defective may be admitted to an institution as a,—

- (a) certificated patient;
- (b) Deputy Minister's warrant patient;
- (c) Lieutenant-Governor's warrant patient;
- (d) patient remanded by a judge or a magistrate in accordance with the provisions of this Act and the regulations.

Voluntary patients, how admitted.

20.—(1) The superintendent of an institution may receive and detain therein as a patient any person suitable for care and treatment who voluntarily makes written application in the prescribed form and whose mental condition, in the opinion of the superintendent, is such as to render him competent to make application. R.S.O. 1927, c. 353, s. 11 (1), *amended*.

Limit of period of detention.

(2) Subject to the provisions of section 25, a person so received shall not be detained more than five days after having given notice in writing of his desire to leave the institution. R.S.O. 1927, c. 353, s. 11 (2), *amended*.

When person not to be admitted as a voluntary patient.

(3) No person may be admitted as a voluntary patient who is,—

- (a) a person suffering from mental illness or infirmity due to old age or from incurable disease for which general hospital or other institutional care is required;
- (b) a mental defective.

Certificated patients.

21.—(1) Certificated patients shall be admitted to an institution only upon the prescribed certificates of two medical practitioners, and in every case the history record and financial statement in the prescribed form shall accompany such certificate or certificates. R.S.O. 1927, c. 353, s. 6, *amended*.

Medical certificate.

(2) Every such certificate shall state and show clearly that the medical practitioner signing it personally examined the patient separately from any other medical practitioner and, after due inquiry into all the necessary facts relating to the case of the patient, found him to be mentally ill or mentally defective. R.S.O. 1927, c. 353, s. 7 (1), *amended*.

Contents.

(3) Each medical practitioner shall also in such certificate state the facts upon which he has formed his opinion of the

mental illness or deficiency, distinguishing the facts observed by him from the facts communicated to him by others, and every such certificate shall be signed in the presence of one ^{Signature and} subscribing witness who shall not be a physician issuing a ^{attestation.} certificate, and shall show the date upon which the examination ^{Date.} was made. R.S.O. 1927, c. 353, s. 7 (2), *amended*.

(4) No person may be admitted as a certificated patient ^{Limitation of} except within three months of the examination referred to in ^{certificate.} any certificate. R.S.O. 1927, c. 353, s. 7 (2), *amended*.

22. Every certificate shall be completed within seven days ^{To be completed in 7 days and forwarded in 14 days.} of the examination referred to therein and shall be forwarded within fourteen days of such examination to the Department or to the superintendent of the institution in the district where the patient resides, together with all other material required by this Act and the regulations.

23. Subject to the provisions of section 13, the certificate ^{Authority to convey and detain.} or certificates, when accompanied by the forms mentioned in subsection 1 of section 21, shall be sufficient authority to any person to convey the patient to the institution and to the authorities thereof to detain him therein, or to the authorities of any other institution to which the patient may have been or may be removed by the order of the Deputy Minister to detain him in such institution as long as he continues to be mentally ill or mentally defective. R.S.O. 1927, c. 353, s. 8, *amended*.

24. In any municipality where a mentally ill or mentally ^{Examination of destitute person.} defective person is in destitute circumstances and is a fit subject for hospital treatment, application may be made to the head of the municipality for an examination to be made and certificates given in accordance with section 21, and the head of the municipality, if satisfied that such person is in destitute circumstances, shall immediately notify two medical practitioners to make the required examination. R.S.O. 1927, c. 353, s. 10, *amended*.

25.—(1) Notwithstanding anything in subsection 2 of ^{Certification of patient in an institution.} section 20, any mentally ill person who has been admitted as a voluntary patient and any habituate patient, or any person admitted under the provisions of section 36, or any person detained under section 61, may be continued as a certificated patient upon the certificates of two medical practitioners with the accompanying history record and financial statement in the prescribed form.

(2) The certificates required by subsection 1 shall not be ^{Practitioner not to be Departmental officer, etc.} issued by any medical practitioner who is an officer of the

Department, and a certificate upon which any patient was admitted to an examination unit shall not be a certificate for the purpose of this section.

Certificated patient.

(3) Upon a person being certificated under this section, he shall thereafter during the time he is a patient be a certificated patient within the meaning of this Act and be subject to the provisions of this Act and the regulations respecting certificated patients.

Warrant to apprehend mentally ill or mentally defective person.

26.—(1) Where an information is laid before any justice of the peace that any person, within the limits of his jurisdiction, is or is suspected or believed by the person laying the information to be mentally ill or mentally defective, such justice of the peace may issue his warrant in the prescribed form to apprehend such person and to cause him to be brought before a magistrate having jurisdiction. R.S.O. 1927, c. 353, s. 12 (1), *amended*.

Form of warrant.

(2) Every such warrant shall be under the hand of the justice of the peace issuing the same and may be directed to all or any of the constables or other peace officers of the locality within which the justice has jurisdiction, and shall name or otherwise describe the person against whom the information has been laid, and shall state that information has been laid on oath that such person is mentally ill or mentally defective. R.S.O. 1927, c. 353, s. 12 (2), *amended*.

Before whom returnable.

(3) The warrant shall order the person to whom it is directed to apprehend the person against whom the information has been laid and to bring him before a magistrate having jurisdiction, in order that inquiry may be made respecting the mental condition of such person and that he may be further dealt with according to law. R.S.O. 1927, c. 353, s. 12 (3), *amended*.

Apprehension without warrant.

(4) Any person apparently mentally ill or mentally defective and conducting himself in a manner which in a normal person would be disorderly, may be apprehended without a warrant by any constable or peace officer and detained in some safe and comfortable place until the question of his mental condition is determined as prescribed by section 29. R.S.O. 1927, c. 353, s. 13, *amended*.

Proceedings on apprehension.

(5) Where the person alleged to be mentally ill or mentally defective has been apprehended under a warrant or in the manner provided in the next preceding subsection, he shall be brought before a magistrate and the magistrate may thereupon by his order in the prescribed form direct that such person be confined in some safe and comfortable place, or in the custody of the constable or other person who appre-

hended

hended him, or such other safe custody as the magistrate deems fit, until the question of his mental condition is determined. R.S.O. 1927, c. 353, s. 14, *amended*.

27.—(1) The Minister may appoint one or more legally qualified medical practitioners in any territorial division for the purposes of this section. R.S.O. 1927, c. 353, s. 15 (1). Appointment of medical examiner.

(2) Immediately upon the apprehension of an alleged mentally ill or mentally defective person the magistrate before whom he is brought shall notify one of such medical practitioners, if any have been appointed, and one other legally qualified medical practitioner, or if no medical practitioner has been so appointed the magistrate shall notify two legally qualified medical practitioners and shall cause an examination to be made in the manner provided in section 21. R.S.O. 1927, c. 353, s. 15 (2), *amended*. Examination by two medical practitioners.

28.—(1) The magistrate, in addition to the examination in the next preceding section prescribed, shall hear such evidence upon oath as may be adduced with reference to the mental condition of the said alleged mentally ill or mentally defective person and shall direct that inquiry be made as to his friends or relatives in order that the evidence of some person or persons who is or are acquainted with his family and previous habits may be had, and for the purpose of ascertaining whether the alleged mentally ill or mentally defective person is possessed of any and what property, and where the same is situate, and also as to the number of persons, if any, dependent upon him for support, and to elicit as far as possible all information in respect to the matters mentioned in the prescribed form; but if the magistrate finds that such inquiries will be expensive or that sufficient information has been obtained by other means, he shall not be required to make the inquiries by this section directed. Hearing of evidence, inquiring among friends, etc.

(2) The magistrate may from time to time adjourn the inquiry and again commit to custody, as prescribed by subsection 5 of section 26, until proper inquiry is made as directed by this section. R.S.O. 1927, c. 353, s. 16, *amended*. Adjournment of inquiry.

29.—(1) If, after reasonable inquiry has been made by the magistrate as herein directed, he is satisfied that such alleged mentally ill or mentally defective person is mentally ill or mentally defective, he shall certify accordingly in the prescribed form. Magistrate's certificate of mental illness or defect.

(2) If both the medical practitioners making the examination do not agree, or if the magistrate is not satisfied that such Discharge of persons not mentally ill or defective and disposal of persons whose mental condition is uncertain.

such person is mentally ill or mentally defective, the magistrate shall forthwith discharge him, or order such further examination as he shall deem expedient, or may remand him to an institution for a period not exceeding sixty days, in which case the provisions of subsections 2, 3 and 4 of section 36 shall apply *mutatis mutandis*. R.S.O. 1927, c. 353, s. 18, *amended*.

Magistrate's certificate, etc., to be sent to Deputy Minister.

30.—(1) Where any such person is found to be mentally ill or mentally defective the magistrate shall immediately transmit to the Deputy Minister his certificate and the certificates of the medical practitioners and the information, warrant and depositions taken before him, accompanied by a written statement of the result of his inquiries as to the financial condition of such mentally ill or mentally defective person and the person or persons legally liable for his maintenance, and as to the other matters mentioned in the prescribed form, so far as ascertained, and giving the present address of such mentally ill or mentally defective person, and the name and address of the person in whose custody he is, and such further information as he may deem advisable.

Deputy Minister's warrant and removal to institution.

(2) The Deputy Minister, on receipt of such documents, shall arrange for the admission of such mentally ill or mentally defective person to an institution and shall issue a warrant in the prescribed form for his transfer thereto. R.S.O. 1927, c. 353, s. 19, *amended*.

Application of Rev. Stat., c. 121.

31. A magistrate in making an inquiry shall have the like authority for compelling the attendance of witnesses as he would have if acting under *The Summary Convictions Act*, and all the provisions of that Act as to procedure shall apply as nearly as may be to proceedings under this Act. R.S.O. 1927, c. 353, s. 21, *amended*.

Transfer of patient.

32.—(1) The Deputy Minister may, by warrant, transfer a patient from any institution to any other institution.

Transfer from hospital to hospital school and *vice versa*.

(2) Where a patient is transferred under subsection 1 from an hospital school to an hospital or from an hospital to an hospital school, such warrant shall be accompanied by such certificates as are required for the admission of a certificated patient to the institution to which the patient is being transferred.

Transfer to and from Ontario Hospital, Woodstock.

(3) Where a patient is transferred under subsection 1 from the Ontario Hospital, Woodstock, to any other institution, or from any other institution to the Ontario Hospital, Woodstock, such warrant shall be accompanied by such certificates as are required for the admission of a certificated patient to the institution to which the patient is being transferred.

33.—(1) The Lieutenant-Governor, upon evidence satisfactory to him that any person imprisoned in any prison, reformatory, reformatory prison, reformatory school, industrial school or industrial refuge for an offence under the authority of any of the statutes of Ontario, or imprisoned for safe custody charged with an offence, or imprisoned for not finding bail for good behaviour or to keep the peace, is mentally ill, mentally deficient or epileptic, may order the removal of such person to a place of safe keeping; and such person shall remain there, or in such other place of safe keeping as the Lieutenant-Governor from time to time may order, until his complete or partial recovery is certified to the satisfaction of the Lieutenant-Governor, who may then order such person back to imprisonment if then liable thereto, or otherwise to be discharged; provided that where such person is confined in an institution he shall, if and when he is not liable to imprisonment, be subject to the direction of the Minister, or such other person as the Lieutenant-Governor in Council may designate, who may make such orders or directions in respect of such person as he may deem proper. R.S.O. 1927, c. 353, s. 22, *amended*.

Lieutenant-Governor's warrant.

(2) Where the Lieutenant-Governor has ordered the removal of any such person under subsection 1, a record of the sentence of such person shall be sent to the Deputy Minister by the officer referred to in subsection 1 of section 11 of *The Public Institutions Inspection Act, 1931*.

Record of sentence to be sent to Deputy Minister.

1931, c. 80.

34. A warrant for the removal of any mentally ill or mentally defective person to an institution may be issued notwithstanding any irregularity or insufficiency in the warrant or order under which such person is imprisoned or confined or in any of the proceedings before the magistrate. R.S.O. 1927, c. 353, s. 25, *amended*.

Warrant valid notwithstanding irregularity of prior proceedings.

35. Upon its appearing to the Lieutenant-Governor that any mentally ill, mentally defective or epileptic patient detained in an institution has come or been brought into Ontario from elsewhere within thirty days prior to his committal to such institution, the Lieutenant-Governor may, by his warrant, authorize the removal of such person to the province or country from which he has so come or been brought. R.S.O. 1927, c. 353, s. 27, *amended*.

Deportation.

36.—(1) Any person may be admitted to an institution upon the order of a judge or magistrate where such person has been apprehended either with or without warrant and charged with any offence, provided that such order is accompanied by the prescribed history form, and provided also that such order shall be for a period not exceeding sixty days, and any

Remand by judge or magistrate.

order made under this section shall direct that such person shall be conveyed to the institution most conveniently situated to the place where the order is made.

Superintendent's report.

(2) Before the expiration of the time contained in the order of the judge or magistrate mentioned in subsection 1, the superintendent shall report in writing the mental condition of such person to the judge or magistrate.

Certification.

(3) Where in the opinion of such superintendent such person is mentally ill or mentally defective, he shall direct the examination of such person as provided for by section 25, and if the examining medical practitioners certify such patient to be mentally ill or mentally defective he shall be detained as a certificated patient and shall be subject to all the provisions of this Act and of the regulations respecting certificated patients.

Return of patient to court.

(4) Where in the opinion of the superintendent such patient is neither mentally ill nor mentally defective and where the superintendent has failed to obtain certificates in the prescribed form he shall discharge such person to the custody of the court by which he was ordered to the institution.

PROBATION

Probation.

37.—(1) If the superintendent considers it conducive to the recovery of any patient that he should be committed for a time to the custody of his family or friends, the superintendent may allow him to return on probation to them upon receiving a written undertaking in the prescribed form by one or more of the family or friends of such person that he or they will keep an oversight over him. R.S.O. 1927, c. 353, s. 29 (1) *amended*.

Return from probation.

(2) If within six months from such release on probation the patient again becomes mentally ill or defective to such a degree that his confinement in an institution is necessary, the superintendent by whom he was released on probation or the Deputy Minister, may by warrant in the prescribed form directed to any constable or peace officer or other person, authorize and direct that such patient be apprehended and brought back to the institution from which he was released on probation, and such warrant shall be an authority to any one acting under it to apprehend the person named therein and to bring him back to the institution. R.S.O. 1927, c. 353, s. 30, *amended*.

Patients liable to imprisonment.

(3) No person admitted to an institution on the warrant of the Lieutenant-Governor shall be released on probation unless the Deputy Minister has certified to the superintendent that such person is no longer liable to be returned to imprisonment.

38. Any person admitted to an institution who, under the provisions of this Act or of the regulations is released on probation therefrom, shall for the purposes of this Act and the regulations for a period of six months from the date of such release be and be deemed to continue as a patient in such institution in the same manner and to the same extent and be subject to the same control as if he were not so released but had remained in the institution.

Application of the Act to probationers.

APPROVED HOME

39. The Minister may issue certificates approving of any building, premises or place as an approved home for the reception of patients who are released from an hospital or hospital school into the custody of such home and entitling any person to receive into the approved home one or more patients as if such approved home had been established as an hospital under the authority of this Act.

Certificate for approved home.

40.—(1) If the superintendent considers it conducive to the recovery of any patient, the superintendent may place such patient in an approved home, subject to the provisions of this Act and the regulations.

Release of patients to approved homes.

(2) No person admitted to an institution on the warrant of the Lieutenant-Governor shall be placed in an approved home unless the Deputy Minister has certified to the superintendent that such person is no longer liable to be returned to imprisonment.

Patients liable to imprisonment.

41. Any patient admitted to an institution who is placed in an approved home shall for the purposes of this Act and the regulations be and be deemed to continue as a patient in such institution in the same manner and to the same extent and be subject to the same control, as if he were not so released but had remained in the institution.

Application of the Act to patients in approved homes.

DISCHARGE

42.—(1) A voluntary patient shall be discharged from the institution in which he is a patient—

Voluntary patient.

(a) when, in the opinion of the superintendent, it is in the interest of such patient or of the hospital that he be discharged; or

(b) for admission to a sanitarium which is subject to *The Private Sanitarium Act*; or

Rev. Stat., c. 355.

(c)

(c) in accordance with the conditions upon which he was admitted.

(2) A voluntary patient may be discharged when default is made in payment of his maintenance.

Certificated
patient.

43. A certificated patient shall be discharged from the institution in which he is a patient—

(a) when, in the opinion of the superintendent, he is sufficiently recovered; or

(b) when, although not recovered, he may be admitted to a sanitarium which is subject to *The Private Sanitarium Act*.

Rev. Stat.,
c. 355.

Lieutenant-
Governor's
and Deputy
Minister's
warrant
patient.

44.—(1) Any patient who has been admitted to an institution on the warrant of the Lieutenant-Governor or Deputy Minister shall be discharged from the institution in which he is a patient—

(a) when, in the opinion of the superintendent, he is sufficiently recovered; or

(b) when, although not recovered, he may be admitted to a sanitarium which is subject to *The Private Sanitarium Act*.

Rev. Stat.,
c. 355.

Discharge.

(2) The superintendent shall not discharge any patient under this section unless the Deputy Minister has certified to the superintendent that such person is no longer liable to imprisonment.

Removal
of patient
to house of
refuge.

45. The Deputy Minister may, upon the report of an inspector, direct that any patient in an institution whose mental condition is due to senility and whose conduct is recorded as quiet and harmless and who is a proper subject for care in a house of refuge, be discharged from such institution and placed in a house of refuge in the county in which he was a resident at the time of admission to the institution and the board of management and superintendent of such house of refuge shall admit such person and maintain him therein. 1931, c. 80, s. 12, *amended*.

ESCAPE AND APPREHENSION

Apprehen-
sion of
escaped
patient.

46.—(1) Any patient admitted to an institution who escapes therefrom or who, contrary to the provisions of this Act or the regulations, leaves or is taken away or removed

therefrom

therefrom may be apprehended without a warrant at any time within sixty days from the day of his escape by any peace officer, police officer or police constable or any person appointed by the superintendent or the Deputy Minister.

(2) Any patient upon his apprehension under the provisions of subsection 1 shall be taken to and confined in any place of detention and from thence and as speedily as possible be returned to an institution. R.S.O. 1927, c. 353, s. 28, *amended*. Detention pending return to institution.

PART V.

HABITUÉS

47.—(1) The superintendent of an institution may receive and detain therein as a patient, any habitué for care and treatment who voluntarily makes written application in the prescribed form provided that in the opinion of such superintendent he is, at the time of his admission, capable of appreciating the fact that he is to be admitted as a voluntary patient. R.S.O. 1927, c. 353, s. 55, *amended*. Voluntary admission.

(2) Subject to section 25, such habitué may be detained in the institution for a period of one year, and no longer, and it shall be a condition of his admission to the institution that he shall remain therein such length of time, not exceeding one year, as, in the opinion of the superintendent, is required; and before admission is awarded he shall sign a pledge agreeing and consenting to such specified condition, and to faithfully conform himself to all the rules and regulations of the institution while an inmate of the same. R.S.O. 1927, c. 353, s. 56, *amended*. Time of detention.
Pledge.

48.—(1) On petition verified by oath, presented to a judge in chambers of the county or district court of the county or district in which the alleged habitué resides, setting forth that the alleged habitué is a *bona fide* resident of Ontario, and is so given over to the use of alcohol or drugs that he is unable to control himself or is incapable of managing his affairs or squanders or mismanages his property, or places his family in danger or distress, or transacts his business prejudicially to the interests of his family or his creditors, or that he uses drugs or intoxicating liquors to such an extent as to render him dangerous to himself or others, or incurs the danger of ruining his health and shortening his life thereby, and praying that a hearing and examination of the matters and allegations set forth in the petition may be had, the judge shall direct that a copy of the petition, together with a notice of appointment in the prescribed form, shall be served upon the alleged

habitué at least forty-eight hours before the time fixed for the hearing.

Who may
petition.

(2) Such petition may be made by any relatives, whether by blood or affinity, or, if he has no relatives in Ontario by any friend of the alleged habitué or by the family medical attendant. R.S.O. 1927, c. 353, s. 58, *amended*.

Inquiry.

49.—(1) The judge shall attend at the time and place named in the appointment and then and there proceed upon *viva voce* evidence to inquire into the matters and allegations set forth in the petition, and whether or not the alleged habitué is in attendance or is represented may proceed to inquire into the matters and allegations set forth in the petition provided that service of the appointment as required by the next preceding section is proven and he may in his discretion adjourn the inquiry from time to time. R.S.O. 1927, c. 353, s. 59, *amended*.

Where
person
petitioned
against
cannot
appear.

(2) Where at the time that service of the appointment and of the copy of the petition is sought to be served, the alleged habitué is confined in an institution under the provisions of section 54 and is in the opinion of the superintendent suffering from the effects of alcohol or drugs to such a degree that he is incapable of appreciating the nature of such documents or is unable to attend before the judge on the return of the appointment, such superintendent shall report such facts to the judge in writing and the judge may, where he deems it expedient to do so, proceed with the inquiry in the absence of the alleged habitué.

Where the
person is
detained
in an
institution.

(3) Where any such alleged habitué is detained in an institution under the provisions of section 54, the judge may order that such person be there detained until a date not later than ten days after the completion of the inquiry.

Powers of
judge.

50. The judge shall have the same powers as to summoning witnesses, enforcing their attendances and the production of documents as in proceedings in the county or district court, and each party may retain counsel to conduct the proceedings and to examine witnesses. R.S.O. 1927, c. 353, s. 60.

Judge's
report.

51.—(1) If the judge upon such inquiry finds the person petitioned against to be an habitué, and so given over to the use of alcohol or drugs as to render him unable to control himself and incapable of managing his affairs, or that on that account he squanders or mismanages his property; or places his family in danger or distress, or transacts his business prejudicially to the interests of his family or his creditors; or that he uses drugs or intoxicating liquors to such an extent

as to render him dangerous to himself and others; or incurs the danger of ruining his health or shortening his life, the judge shall forthwith report the fact to the Deputy Minister and with the report shall transmit the evidence taken accompanied by a written statement of the result of his inquiries as to the financial condition of such habitue, and the person or persons legally liable for his maintenance and giving the present address of such habitue and the name and address of the person in whose custody he is, and the names and addresses of such persons, if any, dependent upon him for support.

(2) For the purposes aforesaid, the judge shall hear such evidence upon oath and may require that some person or persons who is or are acquainted with his family and previous habits be heard for the purpose of ascertaining whether the said habitue is possessed of any and what property, and where the same is situated, and also as to the number of persons, if any, dependent upon him for support. R.S.O. 1927, c. 353, s. 61, *amended*. Hearing of evidence.

52.—(1) Upon receipt of the report and evidence the Deputy Minister may by warrant direct the removal of the habitue to an institution to be placed under treatment and detained therein for a period not exceeding two years. Deputy Minister's warrant.

(2) The judge may order that such habitue be confined in some safe and comfortable place, or such other custody as the judge deems fit until such time as he may be removed to an institution. R.S.O. 1927, c. 353, s. 62, *amended*. Detention pending removal to institution.

53.—(1) Any person who is suffering from the effects of alcohol or drugs may be admitted to an institution and detained therein for a period not to exceed thirty days on the certificates of two medical practitioners in the prescribed form accompanied by the prescribed history form. Temporary commitment by two medical practitioners.

(2) Such certificate shall state and show clearly that each of the medical practitioners signing it personally examined such person and as a result of such examination and of information communicated to him by other persons is of opinion that such person is suffering from the effects of alcohol or drugs to such a degree as to require hospital care. Form of medical certificate.

(3) Each medical practitioner shall also in such certificate state the facts upon which he has formed his opinion, distinguishing the facts observed by him from the facts communicated to him by others, and every such certificate shall be signed in the presence of one subscribing witness and shall show the date upon which the examination was made. Contents.

Limitation
of
certificate.

(4) No person shall be admitted as an habituate patient upon any such certificate except within three days of the examination referred to in any certificate.

Authority
to convey
and detain.

54. The certificates when accompanied by the prescribed history form shall be sufficient authority for any one to convey such person to an institution, provided that permission, either verbally or in writing for such admission has been obtained from the Deputy Minister or the superintendent, and shall be sufficient authority for the superintendent to detain the person named therein.

Discharge of
habitues.

55. The superintendent of any institution shall have full authority to discharge any patient who has been admitted to such institution as an habitue when—

- (a) in the opinion of the superintendent he is sufficiently recovered; or
- (b) it is in the interest of such patient or of the hospital that he be discharged; or
- (c) for admission to a sanitarium which is subject to *The Private Sanitarium Act*; or
- (d) default is made in payment of his maintenance.

Rev. Stat.,
c. 355.

56. Sections 24, 25, 32, 37, 38, 39, 40, 41, 45 and 46 of this Act shall apply *mutatis mutandis* to habitues.

Provisions
applicable
to habitues.

PART VI

EPILEPTICS

Ontario
Hospital,
Woodstock,
object and
design.

57. The Ontario Hospital, Woodstock, with all the lands, buildings, real estate and appurtenances thereunto attached, and whatever lands or real estate may hereafter be purchased or acquired for the same, and whatever buildings may hereafter be erected thereupon, shall be for the public use of the Province and the object and design of such hospital shall be to provide for the treatment and custodial care of epileptics. R.S.O. 1927, c. 356, ss. 1, 2, *amended*.

Admission:
classes of
patients.

58. Any person suffering from epilepsy may be admitted to such hospital who is a—

- (a) voluntary patient;
- (b) certificated patient;
- (c) Deputy Minister's warrant patient;

(d)

- (d) Lieutenant-Governor's warrant patient;
- (e) patient remanded by a judge or magistrate for observation in accordance with the provisions of this Act and the regulations.

59. The provisions of sections 20 to 46 shall apply *mutatis mutandis* to the Ontario Hospital, Woodstock. Provisions applicable.

PART VII

EXAMINATION UNITS

60. The Minister may issue certificates approving of any building, premises or place, or part of any building, premises or place including any part of any hospital or hospital school as an examination unit. Certificate.

61.—(1) Any person who is or is believed to be in need of the observation, care and treatment provided in an examination unit may be admitted thereto for a period not exceeding thirty days with the permission of the Deputy Minister or superintendent, on the certificate of one medical practitioner in the prescribed form accompanied by the prescribed history form. Admission of patients on medical certificate.

(2) The certificate mentioned in subsection 1 of this section shall be sufficient authority to any person to convey the person named therein to such examination unit and to the authorities of the said examination unit for his detention therein. Authority to convey and detain.

62. No patient shall remain in an examination unit for a period in excess of thirty days, provided that the Deputy Minister shall have authority to extend the period for an additional sixty days in the case of any patient other than a patient who has been admitted according to the provisions of the next preceding section. Limit of stay in examination unit.

63.—(1) Where a person has been admitted to and is a patient in an examination unit according to the provisions of section 61, he shall be discharged, or certificated according to the provisions of section 25, as the needs of his case may require. Disposal of patients.

(2) Where a person has been certificated under subsection 1, he shall be transferred to an hospital or hospital school and he shall thereafter be subject to the provisions of this Act and the regulations with respect to patients in an hospital or hospital school. Certificated patients, removal of

PART VIII

LIABILITIES OF MUNICIPALITIES, MAINTENANCE, PROPERTY

Liability of municipality for costs of determining mental condition.

64.—(1) The necessary costs and expenses incurred under the provisions of sections 24, 25, 26 to 30 and 36 in determining the mental condition of any person including a fee not exceeding \$5 and a travelling allowance of 10 cents per mile of each medical practitioner who issues a certificate in respect of such person and the necessary expenses incurred in conveying such person to and from an institution shall be paid by the municipality from which such person came or was sent to an institution.

Recovery from estate, etc.

(2) Where such person is not in destitute circumstances the costs and expenses may be recovered by the municipality from his estate or from him or the person liable for his maintenance.

Recovery from municipality where patient resided.

(3) Subject to subsection 2 where the costs and expenses mentioned in subsection 1 hereof are paid by a municipality in which such person did not actually reside at the time of his admission to an institution, such costs and expenses may be recovered by the municipality paying the same from the municipality in which such person actually resided at the time of admission to the institution.

Reimbursement.

(4) Such costs and expenses shall be reimbursed to the corporation of the municipality by the corporation of the county where the municipality paying the same is a part of the county for municipal purposes.

Persons deported into Ontario, costs of examining.

65.—(1) If an alleged mentally ill, mentally defective or epileptic person deported from any country to Ontario is adjudged mentally ill, mentally defective or epileptic and is removed to an institution, all the costs and expenses properly incurred in his apprehension, examination and detention pending his removal to such institution, shall be paid by the corporation of the municipality in which such person was last resident in Ontario prior to his departure to the country from which he was deported.

Reimbursement.

(2) Where such person is not in destitute circumstances, the costs and expenses referred to in subsection 1, paid by the corporation of any municipality in which such person was last resident in Ontario prior to his departure to the country from which he was deported, may be recovered by it from the estate of such person or from the person liable for his maintenance and the same shall be charged against the estate of such person

or shall be paid by the person legally liable for his maintenance.
R.S.O. 1927, c. 353, s. 20, *amended*.

66.—(1) The provisions of section 24 of *The Corporations Tax Act* shall apply to any institution within the meaning of this Act except the Ontario Hospital, Woodstock. Liability of municipality for maintenance. Rev. Stat., c. 29.

(2) Every municipality shall be liable in the amount of 50 cents per day, including the day of admission and discharge, for the maintenance of every indigent patient in the Ontario Hospital, Woodstock, who resided in such municipality at the time of his admission to the hospital. Ontario Hospital, Woodstock.

67.—(1) Upon due application for the admission of any person the superintendent and steward of the institution shall make a full and thorough inquiry respecting the estate, either in existence or in prospect, of such person and of its sufficiency, free from all claims of his family, to supply the means necessary for his maintenance and clothing in the institution as provided by the regulations. Inquiry regarding estate.

(2) The superintendent and steward shall where possible require from the person liable for maintenance of the patient an agreement or bond to secure the payment of the patient's maintenance, either in whole or in part; and such agreement or bond shall continue in force so long as the patient is maintained in any institution. Bond for maintenance.

(3) Where the obligation is for a limited period nothing herein shall extend the liability beyond the period limited. Liability limited.

(4) The giving of an agreement or bond shall in no way release the estate of the patient from its obligation to maintain and clothe him in the institution as hereinafter provided. R.S.O. 1927, c. 353, s. 9, *amended*. Liability of patient's estate.

68. Any patient admitted to an institution who has at the time of his admission or subsequently comes into the possession of property shall be liable for his maintenance. R.S.O. 1927, c. 353, s. 34, *amended*. Patient's liability.

69. Any person whose wife is a patient shall be liable for the maintenance of such patient. R.S.O. 1927, c. 353, s. 34, *amended*. Liability for married woman.

70. A parent shall be liable for the maintenance of his child who is a patient. R.S.O. 1927, c. 353, s. 31, *amended*. Liability for child.

71. It shall be the duty of the steward of an institution to send a written notice on the first day of each of the months of Notice of liability.

Demand.

January, April, July and October to the party liable for payment of the maintenance of any patient, giving the date of patient's admission to the institution and the amount which is due and owing for his maintenance as provided by the regulations, and in such notice a demand shall be made by the steward upon the party liable for payment of maintenance for such sum as may be due and owing and such sum shall be forthwith paid on such demand. R.S.O. 1927, c. 353, ss. 31, 32, *amended*.

Application
order for
payment of
maintenance.

72.—(1) In case of refusal or neglect to pay the sum so demanded, the Deputy Minister or any officer whom he may designate may apply to a judge of the county or district court of the county or district in which the person liable to pay resides for an order for the payment of the amount then due.

Notice.

(2) Ten days' notice of the application shall be given.

Judge's
order.

(3) If the judge is satisfied that the person against whom the application is made is liable he may make an order accordingly, and such order may be enforced in the same manner as a judgment of the court. R.S.O. 1927, c. 353, s. 33, *amended*.

Public
Trustee
ex officio
committee.

73. Subject as in this Part is otherwise provided the Public Trustee shall *ex officio* be the committee of the estate of every patient admitted to an institution until he is discharged therefrom. R.S.O. 1927, c. 353, s. 35, *amended*.

Where
committee
appointed
prior to
admission.

Rev. Stat.,
c. 98.

74. If prior to or at the time any person is admitted as a patient in an institution the Supreme Court under the authority of *The Lunacy Act* has appointed some person other than the Public Trustee to be the committee of the estate of such person, the Public Trustee shall not in such case be the committee unless he is subsequently appointed as such by the Supreme Court. *New*.

Appointment
of Public
Trustee
instead of
committee
under *The
Lunacy Act*.

75. Notwithstanding that under the authority of *The Lunacy Act* some person other than the Public Trustee has been appointed by the Supreme Court as the committee of the estate of a patient in an institution, the Supreme Court may at any time upon the application of the Public Trustee appoint him as committee in the place and stead of the person theretofore appointed, and on appointment the Public Trustee shall have and may exercise all the rights and powers conferred upon him by this Act with regard to the management of patients' estates. *New*.

When Public
Trustee is
committee
for voluntary
and
habituate
patient.

76. The Public Trustee shall not be the committee of the estate of a voluntary patient, or an habituate patient until

such

such patient remains as a patient in an institution for a period of not less than three months, unless prior to the expiration of such period the patient by writing under seal signed by him appoints the Public Trustee as committee or the Public Trustee is appointed as committee by the Supreme Court. *New.*

77. If the Supreme Court shall at any time appoint a committee of the estate of any patient under the provisions of *The Lunacy Act* the Public Trustee shall thereupon cease to be committee, and shall account for and transfer to the committee so appointed the estate of the patient which has come into his hands, retaining however so much as may be due for the maintenance of the patient. R.S.O. 1927, c. 353, s. 36, *amended.* Appointment of committee by Supreme Court.

78. An order shall not be made for the appointment of a committee of any patient confined in an institution without the consent of the Public Trustee, unless five days' notice shall have previously been given to him. R.S.O. 1927, c. 353, s. 37, *amended.* Consent of Public Trustee.

79. The acts of the Public Trustee while committee of a patient shall not be rendered invalid by the making of an order appointing another committee. R.S.O. 1927, c. 353, s. 38. Acts of Public Trustee not affected by subsequent appointment.

80. When an action or proceeding is brought or taken against any patient in an institution for whom a committee has not been appointed by the court and such action or proceeding is in connection with the estate of such person, the writ or other document by which the proceedings are commenced and any other document requiring personal service shall be served upon the Public Trustee endorsed with a written statement of the name of the institution in which the patient is detained, and shall also be served upon the patient unless in the opinion of the superintendent of the institution personal service upon the patient would cause serious harm to him by reason of his mental condition, in which case it shall also be served upon the superintendent. R.S.O. 1927, c. 353, s. 39, *amended.* When service of process to be made on Public Trustee.

81. The Public Trustee as statutory committee of any such patient shall have and may exercise all the rights and powers with regard to the estate of the patient that such patient would have if of full age and of sound and disposing mind. R.S.O. 1927, c. 353, s. 40, *amended.* Powers of Public Trustee.

82. Any recital in a lease, mortgage or conveyance that the patient is in an institution and that the Public Trustee is Recital in documents as to patients.

his statutory committee shall be *prima facie* evidence of the facts recited. R.S.O. 1927, c. 353, s. 44, *amended*.

Purposes
for which
powers of
Public
Trustee
may be
exercised.

83. The powers conferred upon the Public Trustee as statutory committee of the estate of a patient may be exercised:

- (a) notwithstanding the patient being released upon probation or being placed in an approved home;
- (b) to carry out and complete any transaction entered into by the patient before he or she became a patient in an institution;
- (c) to carry out and complete any transaction entered into by the statutory committee notwithstanding that the patient may have been discharged or may have died after the transaction was commenced. R.S.O. 1927, c. 353, s. 45, *amended*.

Costs and
charges of
Public
Trustee
lien on
property.

84. The costs, charges and expenses of the Public Trustee and any money advanced by him for the patient or for the maintenance of the family of the patient shall be a charge upon the property of the patient, and the Public Trustee may register a certificate under his hand and seal of office giving notice of any lien claimed and the property against which it is claimed in any registry office or land titles office. R.S.O. 1927, c. 353, s. 46.

When gifts,
grants, etc.,
deemed
fraudulent.

85. Every gift, grant, alienation, conveyance or transfer of property made by any person who is or becomes a patient in an institution shall be deemed to be fraudulent and void, as against the statutory committee, if the same is not made for full and valuable consideration actually paid or sufficiently secured to such person, or if the purchaser or transferee had notice of his mental condition. R.S.O. 1927, c. 353, s. 47, *amended*.

Case of
death of
patient.

86. Upon the death of any patient the Public Trustee may until probate of the will or letters of administration to the estate of such patient is granted to some other person and notice is given to the Public Trustee, continue to manage the estate and may exercise with respect thereto the powers which an executor would have if the property were devised or bequeathed to him in trust for payment of debts and distribution of the residue. R.S.O. 1927, c. 353, s. 48, *amended*.

Account by
Public
Trustee.

87. The Public Trustee shall be liable to render an account as to the manner in which he has managed the property and effects of the patient in the same way and subject to the same

responsibility

responsibility as any trustee, guardian or committee duly appointed for a similar purpose may be called upon to account, and shall be entitled from time to time to bring in and pass his accounts and tax costs in like manner as a trustee but shall be personally liable only for wilful misconduct. R.S.O. 1927, c. 353, s. 49, *amended*.

88. For the services rendered by the Public Trustee as committee of a patient, he may be allowed compensation not exceeding the amount which a trustee would be allowed for like services, but in cases of poverty or hardship the Public Trustee may forego any claim for compensation. R.S.O. 1927, c. 353, s. 50.

Compensation of Public Trustee.

89. When a person discharged from an institution may not in the opinion of the Public Trustee based upon the report of the superintendent of such institution be competent to manage his affairs and the Public Trustee has in his hands property of such person as committee under this Act, he may apply to the Supreme Court for directions as to the disposal of such property; and the court may give such orders and directions in the premises as it may deem just. R.S.O. 1927, c. 353, s. 51, *amended*.

Relief of Public Trustee on discharge of patient.

90. The Public Trustee shall, out of the money in his hands belonging to a patient for whom he is statutory committee, pay the proper charges for his maintenance in the institution in which he is a patient, and he may also pay such sums as he may deem advisable to the family of such patient or other person dependent upon him, and the payments for the maintenance of the family and other dependents may be made notwithstanding that such payments may prevent the payment of maintenance which otherwise would be due from the patient. R.S.O. 1927, c. 353, s. 52, *amended*.

Payment of charges for maintenance of patient.

91. If there is any money in court to the credit of a patient the same shall be paid out to the Public Trustee upon his written application, and it shall not be necessary to obtain an order of the court or a judge for this purpose. R.S.O. 1927, c. 353, s. 54, *amended*.

Payment of money out of court.

92. Nothing in this Act shall make it the duty of the Public Trustee to institute proceedings on behalf of a patient or to intervene in respect of his estate.

Statutory duty.

93.—(1) The Lieutenant-Governor in Council may appoint the administrator of Estates of Insane Persons for the Province of Manitoba to be committee of the estate in the Province of Ontario of any lunatic who is detained in a public asylum in Manitoba.

Administrator for Manitoba may be appointed committee in Ontario.

Saskat-
chewan.

(2) The Lieutenant-Governor in Council may appoint the Administrator of Estates of the Mentally Incompetent of the Province of Saskatchewan to be the committee of the estate in the Province of Ontario of any lunatic who is detained in a public asylum or mental hospital in Saskatchewan.

Order-in-
Council
conclusive
as to
appointment.

(3) An order-in-council making such an appointment of the officer mentioned in subsection 1 or subsection 2 of this section shall be conclusive proof that all conditions precedent necessary to the appointment have been fulfilled.

Powers of
Adminis-
trator in
Ontario.

(4) The appointee under an order-in-council issued under this section shall possess the same rights, powers, privileges and immunities as are conferred by this Act and the amendments thereto upon the Public Trustee for Ontario, and he shall be subject to the same obligations and shall perform the same duties. R.S.O. 1927, c. 353, s. 65.

PART IX

MENTAL HEALTH CLINICS

Establish-
ment.

94. Subject to the provisions of this Act and the regulations the Department shall have power and authority to establish clinics known as "Mental Health Clinics."

Officer
in charge.

95. The Minister shall have authority to appoint an officer who shall be a duly qualified medical practitioner to be in charge of each clinic with such title as the Minister may designate.

Staff.

96. The staff of each clinic, in addition to the officer designated in the next preceding section, shall consist of an assistant trained in psychology, an assistant trained in social service, and such other assistants as provided by the regulations.

Expenses.

97. All salaries, remuneration and expenses of the clinics and of their officers, clerks and servants shall be paid out of the Consolidated Revenue Fund upon the certificate of the Minister or of an officer of his Department designated by him for the purpose.

Powers of
a clinic.

98. Subject to the direction of the Deputy Minister, a mental health clinic may do any act or perform such services which by law the Department is permitted or authorized to do.

Authority
to conduct
examina-
tions.

99. Notwithstanding the provisions of the next preceding section, a mental health clinic shall have authority to conduct an examination of the physical and mental condition of:

(a)

- (a) Any person other than an infant who may apply for such examination; and
- (b) Any infant upon the request verbally or in writing of his parent; and
- (c) Any person who may be sent by any organization approved by the Deputy Minister, provided such person has first given his consent to such examination; and
- (d) Any person on the order of any magistrate.

100.—(1) Subject to the provisions of this section, a Examination of pupils. mental health clinic shall have authority to conduct an examination of the physical and mental condition of any or all pupils of any elementary or secondary school other than a private school and including any public, separate, continuation, vocation or high school.

(2) Such examination shall be conducted only on the request Request of board of trustees, etc., necessary. in writing of the board of public school trustees, board of separate school trustees, board of education, or other board having control of the school in which the examination is requested to be conducted.

(3) The consent in writing of the parent for such examination must first be obtained, provided that a consent for medical Consent of parent. examination according to the provisions of *The Public Schools Act* and regulations shall be consent for the purposes of this section.

(4) The officer in charge of the clinic shall report the results Report of examination of pupils. of an examination under this section to the Minister of Education and to the Minister of Health, and the officer may report such results to the parent.

101.—(1) Examinations under this Part may be conducted Where examination to be held. in any place or places which the officer in charge of the clinic deems expedient.

(2) Examinations under section 100 may be conducted in May be held in schools. any of the schools referred to therein, at such time or times as the person in charge of the school shall designate as convenient.

102. Subject to the direction of the Minister, a Authority to give advice. mental health clinic upon the request of any person, body, group, organization or corporation shall have authority to give advice

on matters pertaining to mental health and mental disease or matters reasonably ancillary thereto.

Report of
examination.

103. The officer in charge of the mental health clinic may report the results of an examination under section 99 to:

- (a) the Department;
- (b) the person examined;
- (c) any person or organization upon whose order or request the examination was undertaken;
- (d) any person who in the opinion of such officer has a *bona fide* interest in the person examined;

and, subject to the provisions of this section, the records of any mental health clinic shall not be open to public inspection.

PART X

AGREEMENT BETWEEN PROVINCE AND DOMINION

Agreement
with
Dominion
Government
authorized.

104. The Lieutenant-Governor in Council shall have power to authorize an agreement with His Majesty the King in right of His Dominion of Canada represented by the Honourable the Minister of Pensions and National Health or the Minister of such other Department of the Government of Canada as may from time to time be charged with the care and treatment of insane, epileptic, mentally ill or mentally defective former members of His Majesty's Military or Naval Forces who served during the War of 1914-18 whereunder the said Department shall, subject to regulations not inconsistent with this Act appended to and forming part of the said agreement, establish, operate, maintain, control and direct in the Province of Ontario institutions within the meaning of this Act for the care, treatment and detention of such former members of the Forces and former members of any Forces which were allied with His Majesty's Forces during the War of 1914-18 and members of the Permanent Force within the meaning of *The Militia Act*, and who are insane or epileptic or who are mentally ill or mentally defective within the meaning of this Act and to authorize such alterations in or amendments of such agreement as may from time to time appear necessary or desirable. 1920, c. 108, *amended*.

R.S.C.,
c. 132.

Regulations.

105.—(1) Any regulations adopted by the parties to the agreement in section 104 mentioned shall have the same force and effect as if enacted in this Act.

(2) Without limiting the generality of the provisions contained in subsection 1 it is declared that the authority to adopt regulations shall extend to and include the following:

- (a) regulating the admission, commitment and detention of such members to such institutions, notwithstanding any provision to the contrary in any Act of this Legislature dealing with the care, treatment or detention of insane, epileptic, mentally ill or mentally defective persons, and for greater certainty but not so as to restrict the generality of the foregoing terms, it is hereby declared that the Lieutenant-Governor in Council may exempt the said Department from such of the provisions of the said Acts as he may deem inapplicable and may authorize the said Department by its officers or servants to do such acts and things as by any Act of this Legislature dealing with the care, treatment or detention of insane, epileptic, mentally ill or mentally defective persons are required or authorized to be done by officers or servants of the Province of Ontario or by a justice or justices of the peace or other judicial authority;
- (b) regulating the care, treatment, maintenance, conduct, discipline, custody, transfer, probation, release, discharge and apprehension in such institutions of persons the care, treatment or detention of which is the subject matter of such agreement;
- (c) prescribing the forms relating to such persons and to their admission to, maintenance in and release or discharge from such institutions and all other forms required for the carrying out of the provisions of this Act and such agreement;
- (d) respecting the transfer of any such member from any place without Ontario to any other place without Ontario and from any place within Ontario to any place without Ontario and from any place without Ontario to any place within Ontario during the passage of such member through Ontario;
- (e) generally, the control of all matters the subject matter of such agreement.

106. The detention of any such member by the said Minister by virtue of and in accordance with the provisions of any authority conferred by any Act of this Legislature or agreement with the Government of the Province of Ontario shall ^{Detention under other authority not invalid,}

shall

shall be deemed to be legal and valid notwithstanding anything in this Act.

Public
Trustee.

107. The Public Trustee shall be *ex officio* committee of the estate of every patient who has no other committee and who is detained in an institution under this Part. The provisions of sections 73 to 93 shall apply to the institutions under this Part and the patients therein.

PART XI

REPEALING AND AMENDING CERTAIN ACTS

Acts
repealed.

108. The following Acts are repealed:

- (a) *The Hospitals for the Insane Act*, R.S.O. 1927, c. 353.
- (b) *The Ontario Hospital, Woodstock, Act*, R.S.O. 1927, c. 356.
- (c) *An Act to confer Certain Powers respecting Hospitals on the Lieutenant-Governor in Council*, 1920, c. 108.

Acts
amended.

109. The Acts mentioned in the Schedule to this Act are hereby amended in the manner set forth in the third column of the said Schedule.

Commence-
ment of
Act.

110. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

SCHEDULE

ACT AMENDED	SECTION	MANNER IN WHICH AMENDED
The Corporations Tax Act, R.S.O. 1927, c. 29.	Section 24 (3), line 5.	By substituting for the words "provincial hospital for the insane" the words "institution within the meaning of <i>The Mental Hospitals Act, 1935</i> , other than the Ontario Hospital, Woodstock."
	Section 24 (4), line 3, line 6, lines 6 and 7.	By substituting for the words "Provincial Secretary" the words "Minister of Health."
The Municipal Act, R.S.O. 1927, c. 233.	Section 432, line 2.	By substituting for the word "insane" the words "mentally ill, mentally defective or epileptic."
	Section 432, lines 3 and 4.	By substituting for the words "a Provincial Hospital for the Insane" the words "an institution within the meaning of <i>The Mental Hospitals Act, 1935</i> ."
The Psychiatric Hospitals Act, R.S.O. 1927, c. 354. (1931, c. 23, s. 27 (2).)	Section 1, Clause (b).	By striking out the clause and substituting therefor "(b) 'Inspector' shall mean an inspector appointed under <i>The Mental Hospitals Act, 1935</i> ."
	Section 9 (3), line 5.	By substituting for the words "sections 6 and 7 of <i>The Hospitals for the Insane Act</i> " the words "section 21 of <i>The Mental Hospitals Act, 1935</i> ."
	Section 9 (3), lines 3 and 6 and Section 9 (4), line 3.	By substituting for the word "insane" the words "mentally ill, mentally defective or an epileptic within the meaning of <i>The Mental Hospitals Act, 1935</i> ."
	Section 13 (1), Clause (a), lines 1 and 2.	By substituting for the words "insane within the meaning of sections 7 and 8 of <i>The Hospitals for the Insane Act</i> " the words "mentally ill, mentally defective or epileptic within the meaning of <i>The Mental Hospitals Act, 1935</i> ."
	Section 14 (2), lines 2 and 10.	By substituting for the word "insane" the words "mentally ill, mentally defective or epileptic within the meaning of <i>The Mental Hospitals Act, 1935</i> ."
	Section 14 (2), line 9.	By substituting for the words "in the form numbered 1 in <i>The Hospitals for the Insane Act</i> " the words "according to the provisions of section 21 of <i>The Mental Hospitals Act, 1935</i> ."
	Section 1, clause (c).	By repealing the clause and substituting therefor "(c) 'Inspector' shall mean an inspector appointed under <i>The Mental Hospitals Act, 1935</i> ."
The Private Sanitarium Act, R.S.O. 1927, c. 355. (1931, c. 23, s. 28 (1).)		

ACT AMENDED	SECTION	MANNER IN WHICH AMENDED
The Private Sanitarium Act, R.S.O. 1927, c. 355— <i>Continued</i> .	Section 25 (2), line 4.	By inserting after the word "in-sane" the words "or to the superintendent of any institution under <i>The Mental Hospitals Act, 1935.</i> "
	Section 25 (2), line 6.	By inserting after the word "Hospital" the words "or such institution."
	Section 48, line 3.	By inserting after the word "in-sane" the words "or to an institution under <i>The Mental Hospitals Act, 1935.</i> "
Public Trustee Act, R.S.O. 1927, c. 151.	Section 15, as enacted by 1931, c. 23, s. 8.	By striking out the said section.
The Public Institutions Inspection Act, 1931, c. 80.	Section 2, clause (a).	By repealing the clause.
	Clause (b), lines 2, 3, 4.	By striking out the words "and in respect to mental hospitals shall mean the Minister of Health."
	Section 3, line 2.	By striking out the words "mental hospitals and."
	Section 4, line 2.	By striking out the words "of mental hospitals and."
	Section 5 (1), line 3.	By striking out the words "mental hospital or."
	lines 3, 4.	By striking out the words "as the case may be."
	Section 5 (2), line 3.	By striking out the words "or the Minister of Health."
	line 4.	By striking out the words "or the Minister of Health."
	lines 4, 5.	By striking out the words "as the case may be."
	line 6.	By striking out the words "hospital or other."
	Section 6, line 2.	By striking out the words "mental hospitals and."
	Clause (d), line 3.	By striking out the words "patients in mental hospitals and."
	Clause (f), line 2.	By striking out the words "mental hospitals and."
	Section 11 (2),	By repealing the subsection.
	Section 11 (3), line 2.	By substituting for the words "a mental hospital" the words "an institution under <i>The Mental Hospitals Act, 1935.</i> "

ACT AMENDED	SECTION	MANNER IN WHICH AMENDED
The Public Institutions Inspection Act, 1931, c. 80— <i>Continued.</i>	Section 11 (4), line 2.	By striking out the words “or mental hospital.”
	line 3.	By substituting for the words “respective departments” the word “department.”
	Section 12.	By repealing the section.

CHAPTER 40.

An Act to amend The Milk Control Act, 1934.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Milk Control Amendment Act, 1935*.

1934, c. 30,
amended.

2. *The Milk Control Act, 1934*, is amended by adding thereto the following section:

"Milk."

1a. In this Act, unless the context otherwise requires, "milk" shall include whole milk and such products of milk as are supplied, processed, distributed or sold in any form other than butter and cheese.

1934,
c. 30, s. 2,
subs. 5,
re-enacted.

3. Subsection 5 of section 2 of *The Milk Control Act, 1934*, is repealed and the following substituted therefor:

Expenses
of board.

(5) All moneys required for the purpose of this Act shall be paid out of any sum appropriated by the Legislature and voted by the Assembly for that purpose.

1934, c. 30,
amended.

4. *The Milk Control Act, 1934*, is amended by adding thereto the following section:

Licenses
required.

2a.—(1) No person shall, directly or indirectly, engage in or carry on the business of supplying, distributing, transporting, processing or selling milk unless such person is the holder of a license issued by the board.

Exception.

(2) This section shall not apply to those persons or classes of persons designated by the board in regulations passed under the authority of this Act.

1934,
c. 30, s. 3,
re-enacted.

5. Section 3 of *The Milk Control Act, 1934*, is repealed and the following substituted therefor:

Duty and
powers of
board.

3. It shall be the duty of the board and it shall have power,—

(a)

- (a) upon its own initiative or upon complaint to inquire into any matter relating to the production, transportation, processing, distribution or sale of milk;
- (b) to arbitrate, adjust and settle disputes arising between producers, consumers, processors, distributors and transporters of milk or between any two or more classes of such persons engaged in the milk industry;
- (c) to prohibit in the Province any sale or delivery of milk or of cream or of milk and cream alone or in combination with any other article of trade, at a price lower than the current price of milk or cream or of a combination of milk or cream with any other article;
- (d) to prohibit milk distributors compelling or inducing producers to invest money either directly or indirectly in a dairy plant or other equipment in order that such producers may obtain or retain a market for their milk;
- (e) to prohibit milk distributors from terminating the purchase of milk from a producer without just cause unless fifteen days' notice is given;

and in each case shall make such order as it deems just, having regard to the circumstances.

6. Section 4 of *The Milk Control Act, 1934*, is repealed and the following substituted therefor: 1934,
c. 30, s. 4,
re-enacted.

4. No license shall be granted to a milk distributor unless the board is satisfied that the applicant is qualified by experience, financial responsibility and equipment to properly conduct the proposed business, and that the issuance of the license is in the public interest. When issue
of license
prohibited.

7. *The Milk Control Act, 1934*, is amended by adding thereto the following sections: 1934, c. 30,
amended.

- 4a. Subject to the provisions of section 4 of this Act the board may refuse to grant or renew a license or may suspend or revoke a license already granted, after due notice and opportunity of hearing to the applicant or licensee, when the board is satisfied of the existence of any one or more of the following conditions: Power of
board to
refuse or
revoke
license.

Rev. Stat.
cc. 262, 265;
1930, c. 53;
1934, c. 30.

(a) Failure to observe, perform and carry out the provisions of *The Milk Control Act, 1934*, or of *The Milk and Cream Act, The Dairy Products Act, The Public Health Act* or any other Act of the Legislature of Ontario, or of the Dominion of Canada, or amendments thereof, or of any regulations made under any such Act which in any way pertains to and governs or regulates the supply of milk for human consumption;

(b) Failure to provide for and continue in effect proof of financial responsibility as required by this Act or the regulations;

(c) Failure to observe, perform and carry out any regulation of the board made under this Act.

Appeal
from
decision
of board.

6a. An appeal shall lie, by way of originating notice, from any order or decision of the board under section 4 or 4a of this Act to a judge of the Supreme Court who may receive such evidence, give such directions for the conduct of the proceedings, and make such order or decision thereon as he may deem just, and his decision shall be final and shall not be subject to appeal.

Rebates
prohibited.

7a. Notwithstanding anything in *The Companies Act* or in any letters patent of incorporation or supplementary letters patent or in any other general or special Act contained, no person, firm or corporation shall give or distribute any fund, refund, rebate, interest or dividend to any purchaser of milk therefrom, either directly or indirectly in respect of such purchases of milk, except such interest or dividend as may be earned on capital invested by such purchaser in such firm or corporation.

Rev. Stat.
c. 218.

8a.—(1) The board may, if it deems it in the public interest, after consulting any local municipal officer or officers appointed to represent the consumers' interests, approve any agreement respecting the price of milk and fair business practices entered into between producers, processors, milk dealers, transporters of milk and distributors or any of them, and when so approved, such agreement shall be binding upon every person, partnership, association or corporation, selling, delivering or buying milk within the limits of the area affected by the agreement.

Board may
approve
agreements.

- (2) Where the board has approved an agreement respecting the price of milk and fair business practices as provided in this section, non-compliance with any of the provisions of such agreement shall be a violation of this Act. Effect of approval.

8. Section 9 of *The Milk Control Act, 1934*, is repealed and the following substituted therefor: 1934, c. 30, s. 9, re-enacted.

9.—(1) The board may make such regulations, with the approval of the Lieutenant-Governor in Council, as it deems necessary in the public interest, and without derogating from the generality of the foregoing may by such regulations,— Regulations.

- (a) specify the terms and conditions upon which a license may be obtained and the fees payable therefor and the persons or classes of persons not required to be licensed as provided by section 2*a* of this Act;
- (b) prescribe the terms and conditions upon which milk may be received, handled, transported, stored, delivered, supplied, processed, kept for sale or sold;
- (c) classify milk producers and distributors or any other persons engaged in the milk industry;
- (d) require persons who supply, distribute, transport, process, keep for sale or sell milk to furnish to the board such information as the board may from time to time require;
- (e) require any applicant for a license under this Act to furnish proof of financial responsibility and to require a bond from such applicant in such amount as the board may deem necessary;
- (f) provide for the form of orders and other forms to be used for the purpose of this Act;
- (g) prescribe the meetings and proceedings of the board;
- (h) prescribe the respective duties of the staff and of other persons employed by the board;
- (i) prescribe the records, books and accounts to be kept by the board;

(j)

- (j) prescribe the practice and procedure in all matters before the board and the conduct of all persons appearing before the board.

Regulations
may be
general or
limited.

- (2) Any regulations made under the authority of this section may be general in their application or may be limited to any locality or localities, or to any person or classes of persons, or to any branch of the milk industry mentioned therein.

1934, c. 30,
amended.

9. *The Milk Control Act, 1934*, is amended by adding thereto the following section:

Injunction
proceedings.

- 10a.—(1) Where it is made to appear from the material filed or evidence adduced that any offence against this Act or the regulations has been or is being committed, the Supreme Court or any judge thereof may, upon the application of the board, enjoin—

- (a) any purchaser, processor, transporter, distributor or dealer in milk from carrying on business as such purchaser, processor, transporter, distributor or dealer, absolutely, or for such period as shall seem just, and any injunction shall *ipso facto* cancel the license of any such purchaser, processor, transporter, distributor or dealer named in the order during the same period.

Application
may be
ex parte

- (2) The application of the board under subsection 1 may be made without any action being instituted either,—

- (a) by an *ex parte* motion for an interim injunction which shall, if granted, remain in full force for ten days from the date thereof unless the time is extended or the originating motion mentioned in clause *b* hereof is sooner heard and determined; or

or by origin-
ating notice.

- (b) by an originating notice of motion which, if an interim injunction has been granted, shall be served within five days and returnable within ten days from the date of such interim injunction.

1934,
c. 30, s. 11,
re-enacted.

10. Section 11 of *The Milk Control Act, 1934*, is repealed and the following substituted therefor:

Penalties.

11. Every person who violates any of the provisions of this Act or the regulations, or any order made under this Act shall be liable, for a first offence, to a penalty

of

of \$50; and for a second or subsequent offence to a penalty of not less than \$100, nor more than \$500, recoverable under *The Summary Convictions Act*. Rev. Stat. c. 121.

11. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of
Act.

CHAPTER 41.

The Mortgagors' and Purchasers' Relief Act, 1935.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Mortgagors' and Purchasers' Relief Act, 1935*.

1933, c. 35,
continued
in force.

1934, c. 33.

2.—(1) Notwithstanding anything contained in section 36 of *The Mortgagors' and Purchasers' Relief Act, 1933*, or *The Mortgagors' and Purchasers' Relief Act, 1934*, all the other provisions of *The Mortgagors' and Purchasers' Relief Act, 1933*, shall, subject to the provisions of subsection 2 of this section, continue in force and have effect until the 30th day of June, 1936.

Power of
Lieutenant-
Governor
in Council
to terminate
or limit
operation
of Act.

(2) The Lieutenant-Governor in Council may at any time terminate the operation of the said Act, or provide that the said Act shall have effect subject to such limitations as may be contained in the Order-in-Council.

Commence-
ment of
Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 42.

An Act to amend The Mothers' Allowances Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Mothers' Allowances Amendment Act, 1935.* Short title.

2. Clause *a* of section 1 of *The Mothers' Allowances Act* as re-enacted by section 2 of *The Mothers' Allowances Act, 1933*, is amended by inserting after the word "branch" in the first line the words "or person," so that the said clause shall now read as follows: Rev. Stat., c. 280, s. 1, cl. a, (1933, c. 36, s. 2), amended.

(a) "Commission" shall mean such department or branch or person in the public service of the Province, or commission or other body of persons as may be appointed or designated by the Lieutenant-Governor to administer this Act. "Commission."

3.—(1) Clause *a* of subsection 1 of section 2 of *The Mothers' Allowances Act* is repealed and the following substituted therefor: Rev. Stat., c. 280, s. 2, subs. 1, cl. a, re-enacted.

(a) is a widow, or the wife of a man who is permanently unemployable by reason of mental or physical disability, or of a man who has deserted her and has not been heard of for at least three years. Conditions under which allowances may be paid.

(2) Clause *b* of subsection 1 of the said section 2 as amended by section 2 of *The Mothers' Allowances Act, 1928*, is further amended by striking out the words "or total disability of the father of the children" in the second line and inserting in lieu thereof the words "permanent disability or desertion by the father of the child or children," so that the said clause shall now read as follows: Rev. Stat., c. 280, s. 2, subs. 1, cl. b, amended.

(a)

- (a) was resident in Ontario at the time of the death, permanent disability or desertion by the father of the child or children on whose behalf the allowance is to be made, and for a period of two years immediately prior to the application for an allowance.

Rev. Stat.,
c. 280, s. 2,
subs. 1, cl. c,
amended.

- (3) Clause *e* of subsection 1 of the said section 2 is amended by striking out the word "was" at the commencement thereof and inserting in lieu thereof the word "is," so that the said clause shall now read as follows:

- (e) is a British subject by birth or naturalization, or is the widow or wife of a British subject.

Rev. Stat.,
c. 280, s. 2,
subs. 1,
cl. g,
amended.

- (4) Clause *g* of subsection 1 of the said section 2 is amended by striking out the word "two" in the first line and inserting in lieu thereof the word "one," and by striking out the word "them" in the third line and inserting in lieu thereof the words "such child or children," so that the said clause shall now read as follows:

- (g) has resident with her one or more of her own children under sixteen years of age and has not adequate means to care properly for such child or children without the assistance of an allowance under this Act.

Rev. Stat.,
c. 280, s. 2,
subs. 2,
cl. a,
repealed.

- (5) Clause *a* of subsection 2 of the said section 2 as amended by subsection 1 of section 16 of *The Mothers' Allowances Act, 1929*, is repealed.

Rev. Stat.,
c. 280, s. 2,
subs. 2,
cl. b,
amended.

- (6) Clause *b* of subsection 2 of the said section 2 is amended by striking out the word "two" in the second line and inserting in lieu thereof the word "one," by inserting after the word "such" in the fourth line the words "child or" and by striking out the word "them" in the sixth line and inserting in lieu thereof the words "such child or children," so that the said clause shall now read as follows:

Allowance
to foster
mother.

- (b) is married or unmarried and has resident with her one or more orphan children under sixteen years of age and is the grandmother, sister, aunt or other suitable person acting as the foster mother of such child or children and has not adequate means to care properly for such child or children without the assistance of an allowance under this Act.

Rev. Stat.,
c. 280, s. 2,
subs. 3,
(1934,
c. 54, s. 15),
amended.

- (7) Subsection 3 of the said section 2 as re-enacted by section 15 of *The Statute Law Amendment Act, 1934*, is repealed and the following substituted therefor:

- (3) In cases presenting special circumstances where investigation has shown the advisability of an allowance being granted to the children dependent upon a mother or foster mother who is not strictly eligible under the terms of subsection 1 or subsection 2, the Commission may recommend to the Lieutenant-Governor in Council the granting of an allowance and the amount of the same, and the Lieutenant-Governor in Council may consider any such recommendation and direct the payment of an allowance accordingly, notwithstanding that such payment is not expressly provided for in this Act. Allowance in special cases.

4.—(1) Clause *b* of section 9 of *The Mothers' Allowances Act* is amended by striking out the words "executive secretary and other" in the first and second lines, so that the said clause shall now read as follows: Rev. Stat., c. 280, s. 9, cl. *b*, amended.

- (*b*) prescribing the duties of the members of the staff of the Commission.

(2) Clause *d* of the said section 9 is amended by striking out the words "by local boards" in the second line so that the said clause shall now read as follows: Rev. Stat., c. 280, s. 9, cl. *d*, amended.

- (*d*) for the conducting of inquiries and investigations as to persons to whom allowances may be paid or who are in receipt of allowances under this Act or by whom or on whose behalf application has been made for payment of allowances.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 43.

The Municipal Amendment Act, 1935.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Municipal Amendment Act, 1935*.

Rev. Stat.,
c. 233, s. 1,
amended.

2.—(1) Section 1 of *The Municipal Act* is amended by adding thereto the following clause:

"Depart-
ment."

(cc) "Department" shall mean the Department of Municipal Affairs for Ontario.

Substitution
of Depart-
ment for
former
Bureau of
Municipal
Affairs.

(2) Where in any provision of *The Municipal Act* reference is made to the Bureau of Municipal Affairs or to any officer thereof or to the Commissioner of Municipal Affairs such reference shall hereafter be deemed and construed to refer to the Department.

Rev. Stat.,
c. 233, s. 229,
subs. 3,
re-enacted.

(3) Subsection 3 of section 229 of *The Municipal Act* is repealed and the following substituted therefor:

Returns by
Department.

(3) The Department shall cause to be prepared annually a tabulated statement of the returns which shall be laid before the Assembly.

Rev. Stat.,
c. 233, s. 235,
subs. 3,
re-enacted.

(4) Subsection 3 of section 235 of *The Municipal Act* is repealed and the following substituted therefor:

Returns by
Department.

(3) The Department shall cause to be prepared annually a tabulated statement of the returns which shall be laid before the Assembly.

Rev. Stat.,
c. 233, s. 307,
subss. 1
and 4,
(1932, c. 29,
s. 10),
amended.

(5) Subsections 1 and 4 of section 307 of *The Municipal Act* as enacted by section 10 of *The Municipal Amendment Act, 1932*, are amended by striking out the words "Ontario Municipal Board" where they occur therein respectively and inserting in lieu thereof the word "Department."

3.—(1) Clause (r) of subsection 1 of section 53 of *The Municipal Act* as re-enacted by section 6 of *The Municipal Amendment Act, 1931*, and clause (s) of subsection 1 of the said section 53 are repealed and the following substituted therefor: Rev. Stat., c. 233, s. 53, subs. 1, cl. r, (1931, c. 50, s. 6), and cl. s, re-enacted.

(r) An owner or tenant against the land in respect of which he qualifies there are at the time of the nomination any taxes of a preceding year or years overdue and unpaid.

(s) A tenant who at the time of the nomination owes more than three months rent upon the property in respect of which he qualifies.

(2) The said subsection 1 of section 53 is further amended by adding thereto the following clause: Rev. Stat., c. 233, s. 53, subs. 1, amended.

(u) A person whose taxes in respect of an assessment for income or business at the time of the nomination are overdue and unpaid.

4.—(1) Subsection 2 of section 248a of *The Municipal Act* as enacted by section 8 of *The Municipal Amendment Act, 1932*, is amended by striking out all the words of the said subsection after the word "Act" in the fourth line, so that the said subsection shall now read as follows: Rev. Stat., c. 233, s. 248a, subs. 2, amended.

(2) The security to be given shall be by the bond, policy or guarantee contract of a guarantee company within the meaning of *The Guarantee Companies Securities Act*. Surety bonds of guarantee companies to be given. Rev. Stat., c. 230.

(2) Subsection 1 shall apply to every security hereafter given or renewed as required by this section. Application of sub. 1.

5. Paragraph 1 of section 397 of *The Municipal Act* as amended by section 26 of *The Municipal Amendment Act, 1931*, and by section 16 of *The Municipal Amendment Act, 1932*, is further amended by striking out the words "or a cold storage plant receiving financial aid by way of loan from the Department of Agriculture of the Province of Ontario" and inserting in lieu thereof the words "or the land and business of a cold storage plant to which aid by way of loan or grant has been or is being given by the Governments of Canada and Ontario or either of them." Rev. Stat., c. 233, s. 397, para. 1, amended.

6. Section 409 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 409, amended.

10. For granting aid to any society, organization or body in the county having for its objects the promotion or protection of agriculture, education, or social welfare, where no specific authority for granting such aid

Aid to agricultural and other bodies.

aid is contained in any Statute; provided the amount of aid which may be granted under the authority of this paragraph shall in the aggregate not exceed \$5,000 in any year.

Rev. Stat.,
c. 233, s. 414,
para. 16,
(1928,
c. 37, s. 14),
amended.

7. Paragraph 16 of section 414 of *The Municipal Act* as enacted by section 14 of *The Municipal Amendment Act, 1933*, is amended by striking out the word and figure "paragraph 4" in the second line and inserting in lieu thereof the words and figures "paragraphs 4 and 12."

Rev. Stat.,
c. 233, s. 15,
amended.

8. Section 415 of *The Municipal Act* is amended by adding thereto the following paragraph:

Establish-
ment of joint
fire brigade
by municip-
alities

3b. For entering into a contract with the corporation of any other municipality or municipalities for establishing, providing and maintaining, jointly, a fire brigade, fire halls, fire engines, apparatus and equipment and for the maintenance and use thereof upon such basis as to the distribution of cost as the contract may stipulate.

(a) Each municipality shall issue its own debentures for its share of the capital cost of providing the said fire services, and the provisions of paragraphs 1 to 3a shall be applicable.

Rev. Stat.,
c. 233,
s. 431a,
(1928,
c. 37, s. 16),
amended.

9.—(1) Section 431a of *The Municipal Act* as enacted by section 16 of *The Municipal Amendment Act, 1928* and amended by section 36 of *The Municipal Amendment Act, 1931*, and section 19 of *The Municipal Amendment Act, 1932*, is further amended by adding after the word "townships" where it occurs in the heading to the said section the words "and villages."

Rev. Stat.,
c. 233,
s. 431a,
para. 1,
(1928,
c. 37, s. 16),
amended.

(2) Paragraph 1 of the said section 431a is amended by striking out all the words and figures after the word "dealer" in the third line, so that the said paragraph shall now read as follows:

Licensing,
etc., coal and
coke dealers.

1. For licensing, regulating and governing dealers in coal or coke and for revoking or suspending the license of any such dealer.

Rev. Stat.,
c. 233,
s. 431a,
(1928,
c. 37, s. 16),
amended.

(3) The said section 431a is further amended by adding thereto the following clause:

Dealers
include
persons
taking orders
or making
deliveries.

(b) For the purpose of this paragraph a by-law passed hereunder shall extend to include dealers in coal or coke who by themselves or their employees, agents, canvassers or solicitors take orders for or deliver coal or coke within the municipality, and such dealers shall be subject to the provisions of the by-law.

10. Section 433 of *The Municipal Act* as enacted by section 20 of *The Municipal Amendment Act, 1932*, is amended by adding thereto the following subsection:

Rev. Stat.,
c. 233, s. 433,
(1932, c. 29,
s. 20),
amended.

- (3) The provisions of this section shall be deemed to have extended to authorize any payments heretofore made to members of the council for their services as members of any utility commission to which they were appointed under the authority of any general or special Act, and shall also extend to authorize future payments at the rates mentioned in subsection 1 to such members for their services as members of any such utility commission.

Fees to
members of
utility
commission.

11.—(1) Paragraph 3 of section 495 of *The Municipal Act* is amended by adding after the word “highway” in the seventh line the words “and for permitting the owners of land to maintain and use signs and other advertising devices which project over the sidewalks.”

Rev. Stat.,
c. 233, s. 495,
para. 3,
amended.

(2) Clause *b* of paragraph 3 of the said section 495 is amended by adding after the word “structure” in the fourth line the words “sign or advertising device.”

Rev. Stat.,
c. 233, s. 495,
para. 3, cl. *b*,
amended.

12. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

CHAPTER 44.

An Act to amend The Municipal Arbitrations Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Municipal Arbitrations Amendment Act, 1935*.

Rev. Stat.
c. 242, s. 1,
subs. 2, cl. a
re-enacted.

2. Clause *a* of subsection 2 of section 1 of *The Municipal Arbitrations Act* is repealed and the following substituted therefor:

(*a*) be a judge of a county court or a barrister of at least ten years' standing at the Bar of Ontario;

so that the first line of subsection 2 and clause *a* shall now read as follows:

Official
Arbitrator—
who to be.

(2) The Official Arbitrator shall,—

(*a*) be a judge of a county court or a barrister of at least ten years' standing at the Bar of Ontario.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 20th day of September, 1934.

CHAPTER 45.

An Act respecting Arrears of Municipal Taxes.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Municipal Tax Arrears Consolidation Act, 1935.* Short title.

2. In this Act,—

Interpretations.

- (a) "Arrears of taxes" means and includes all taxes and all rates, rents and other charges collectible as taxes on the collector's roll of a municipality owing in respect of more than one year as at the 31st day of December, 1934, and includes all percentages, charges, interest, costs and expenses lawfully added to or charged thereon; "Arrears of taxes."
- (b) "Department" means the Department of Municipal Affairs for Ontario; "Department."
- (c) "Minister" means the Minister of Municipal Affairs for Ontario; "Minister."
- (d) "Municipality" means a city, town, village or township; "Municipality."
- (e) "Owner" means and includes any person who has any beneficial, legal or equitable interest in land and any mortgagee of such land. "Owner."

3.—(1) This Act shall apply to every municipality which by by-law thereof passed on or before the 1st day of July, 1935, declares that the provisions of this Act shall apply to such municipality. Application of Act.

(2) A certified copy of the by-law shall be filed with the Department forthwith after the same has been passed and a Publication and filing of by-law.

copy thereof shall be published once a week for three successive weeks in a newspaper published in the municipality, or if none is so published, in some newspaper having a general circulation therein, and once in the *Ontario Gazette*.

When Act
not to apply.

(3) This Act shall not apply to any municipality which has not on or before the 1st day of July, 1935, passed a by-law as provided in subsection 1.

Statements
of tax
arrears, etc.,
to be filed
with the
Department.

4.—(1) The treasurer of every municipality which by its by-law adopts the provisions of this Act shall file with the Department a statement according to the prescribed form as to all arrears of taxes owing to the municipality, and as to such other matters as the form may require to be furnished.

Considera-
tion of tax
arrears con-
solidation
scheme.

(2) The Department upon receipt of the statement mentioned in subsection 1 shall confer by correspondence or otherwise with the council and treasurer as to the appropriate scheme of consolidation of arrears of taxes to be adopted for the municipality, and after considering all relevant matters the Department shall formulate a scheme for submission to the Minister for his approval.

Lands
included in
tax sale list
may be
covered by
a scheme.

(3) Any scheme for consolidation of arrears of taxes may extend to include lands which have been included in a list of lands to be sold for taxes, but which have not been sold at the time the scheme is approved by the Minister.

Adoption of
scheme.

(4) Forthwith after a scheme of consolidation of arrears of taxes for a municipality has been approved in writing by the Minister, the same shall be effective for such municipality and the provisions of this Act shall apply.

Publication
of notice of
scheme.

(5) A copy of the scheme bearing the approval in writing of the Minister shall be sent to the treasurer of the municipality and he shall publish such notices thereof or extracts therefrom as the Department may direct.

Procedure
for consoli-
dation of tax
arrears.

5.—(1) At any time after this Act becomes applicable in a municipality, but not later than the 1st day of October, 1935, any owner of land in such municipality in respect of which arrears of taxes are owing may apply to the treasurer of the municipality to have the amount of such arrears of taxes consolidated and payable in the manner provided for in this Act.

Form of
application.

(2) Every application shall be in writing according to the prescribed form.

(3) Each application shall be with respect to one parcel of land only unless two or more contiguous parcels are the property of one owner. Separate applications for each parcel.

(4) Upon receipt of an application the treasurer shall determine whether it comes within the scheme for arrears of taxes consolidation provided for such municipality under this Act. Decision of treasurer.

(5) In the event of the treasurer determining that any application is not within such scheme, he shall notify the applicant in writing accordingly, and in such case the applicant may appeal to the Minister in the matter, whose decision shall be final. Appeal to Minister.

6.—(1) Where an application is granted the total amount of the arrears of taxes of the owner shall be consolidated. Total arrears to be consolidated.

(2) The treasurer shall prepare in duplicate the consolidation agreement upon the prescribed form and in accordance with the scheme approved for the municipality and send the same to the owner for execution by him. Upon return of the executed documents accompanied by payment of the instalment payable at that time according to the terms of the agreement, the treasurer shall execute one copy of the agreement on behalf of the municipality and send or deliver the same to the owner. Execution of agreement and payments.

(3) Every agreement shall contain a provision for payment by the owner of the whole or so much of the taxes of the current and succeeding years as the same respectively become due and payable as the scheme approved for the municipality shall require. Payment of current and future taxes.

7.—(1) The treasurer shall file all agreements in his office and the same and the collection thereunder of all payments of arrears of taxes shall be under his jurisdiction. Treasurer to have jurisdiction over agreements.

(2) The treasurer shall make or cause or authorize to be made in the assessment and collector's rolls and other books and records of the municipality such record and notations of consolidation agreements as may be requisite. Entries in rolls and records.

(3) The treasurer shall keep such special rolls, books and records with respect to consolidation agreements and the lands and owners affected thereby as may be requisite. Special consolidation records.

8.—(1) The amount of arrears of taxes consolidated under an agreement shall be payable as therein provided. Payments to be as agreed.

(2) Every agreement shall provide for interest from the date of the agreement being added to and paid upon the

amount of arrears of taxes consolidated at the rate of six per centum per annum, both before and after maturity; provided that no interest shall be charged upon the instalment paid upon execution of the agreement.

Discounts
to be
credited.

(3) Upon payment of an instalment provided for in the agreement on or before due date, a discount at the rate specified in the agreement shall be allowed and credited on the unpaid balance owing under such agreement.

Charges not
to be
waived.

9.—(1) Notwithstanding any of the provisions of this Act or of any scheme for consolidation of arrears of taxes approved or made effective, or agreement entered into thereunder, all arrears of taxes which are consolidated shall continue to be subject to all percentages, interest, costs and expenses which have been added to the same at the time of consolidation, and the same shall be waived and released only upon fulfilment of the agreement and payment of all sums and of current and future taxes as therein provided for.

Lien for
taxes not
affected.

(2) The arrears of taxes consolidated under any agreement shall be and remain a special lien upon the land in respect to which they are payable in priority over all claims, liens, privileges and encumbrances thereon, except claims of the Crown, and the liens, priorities and other rights with respect thereto provided for in *The Assessment Act* shall continue to apply thereto and to the collection and enforcement thereof, except that the treasurer and collector of taxes of the municipality without thereby waiving the statutory rights and powers of the municipality or of themselves shall not enforce collection of the arrears of taxes so consolidated during the time the agreement is in force.

Cancellation
of agreement
upon default.

10. If any default is made at any time in the payment of any instalment in respect of the consolidated arrears of taxes or of taxes of the current or future years as provided for in an agreement, and such default continues for three months, the treasurer may cancel the agreement, and all discounts which have been allowed and credited shall be cancelled and the whole of the unpaid balance of the consolidated arrears of taxes and all taxes of the current and other years then overdue and unpaid shall immediately become due and payable and all remedies for the enforcement of payment shall apply with the same force and effect as if the arrears of taxes had not been consolidated or any agreement entered into.

Powers for
administra-
tion of Act.

11.—(1) The Minister and the Department may for the purposes of this Act do all things necessary for the administration thereof and for formulating and approving schemes for consolidation of arrears of taxes for any municipality.

(2) The Department may adopt and prescribe forms of notices, applications, statements, returns, agreements, rolls, books, records and other documents necessary for the carrying out of this Act and of any scheme approved hereunder, and may vary such forms as circumstances may from time to time require.

Prescription
of forms.

(3) The Department may require the treasurer of every municipality which adopts this Act to make such annual or other reports and returns in respect to the scheme approved for the municipality of which he is treasurer and as to all agreements entered into thereunder.

Municipal
returns.

(4) The Minister may from time to time amend any scheme of consolidation of arrears of taxes which he has approved, as circumstances may appear to require.

Variation
of schemes.

12. This Act shall not without the approval of the Minister first being obtained apply to any municipality, which under the provisions of any Act, is subject to the jurisdiction of the Ontario Municipal Board or of the Department by reason of default in meeting any of its obligations.

Act not to
apply to
supervised
municipali-
ties without
the
Minister's
approval.

13. The Lieutenant-Governor in Council may make regulations for the due carrying out of this Act according to its intent and purposes in respect to any matters not specifically authorized by the provisions of this Act, and every such regulation when published in the *Ontario Gazette* for two successive weeks shall have the same force and effect as if enacted by this Act.

Regulations.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

CHAPTER 46.

An Act to amend The Negligence Act, 1930.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Negligence Amendment Act, 1935*.

1930,
c. 27, s. 3,
amended.

2.—(1) Section 3 of *The Negligence Act, 1930*, as amended by section 2 of *The Negligence Act, 1931*, is amended by striking out the words “where two or more persons are found liable” in the third and fourth lines and inserting in lieu thereof the words “except as provided by subsection 2, where two or more persons are found at fault or negligent” so that the said section shall now read as follows:

Extent of
liability,—
remedy
over.

3.—(1) Where damages have been caused or contributed to by the fault or neglect of two or more persons the court shall determine the degree in which each of such persons is at fault or negligent, and except as provided by subsection 2 where two or more persons are found at fault or negligent, they shall be jointly and severally liable to the person suffering loss or damage for such fault or negligence, but as between themselves, in the absence of any contract express or implied, each shall be liable to make contribution and indemnify each other in the degree in which they are respectively found to be at fault or negligent.

1930,
c. 27, s. 3,
amended.

(2) The said section 3 is further amended by adding thereto the following subsections:

Where
plaintiff is
passenger.

(2) In any action brought for any loss or damage resulting from bodily injury to, or the death of any person being carried in, or upon, or entering, or getting on to, or alighting from a motor vehicle other than a vehicle operated in the business of carrying passengers for compensation, and the owner or driver of the motor vehicle which the injured or deceased

person

person was being carried in, or upon or entering, or getting on to, or alighting from is one of the persons found to be at fault or negligent, no damages, contribution or indemnity shall be recoverable for the portion of the loss or damage caused by the fault or negligence of such owner or driver, and the portion of the loss or damage so caused by the fault or negligence of such owner or driver shall be determined although such owner or driver is not a party to the action.

- (3) In any action founded upon fault or negligence and brought for loss or damage resulting from bodily injury to, or the death of any married person where one of the persons found to be at fault or negligent is the spouse of such married person, no damages, contribution or indemnity shall be recoverable for the portion of loss or damage caused by the fault or negligence of such spouse, and the portion of the loss or damage so caused by the fault or negligence of such spouse shall be determined although such spouse is not a party to the action.

Where
plaintiff is
spouse of
negligent
person.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of
Act.

CHAPTER 47.

An Act to amend The Niagara Parks Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title

1. This Act may be cited as *The Niagara Parks Amendment Act, 1935*.

Rev. Stat.,
c. 81, s. 2,
amended.

2. Section 2 of *The Niagara Parks Act* is amended by adding thereto the following subsections:

Appoint-
ment of
members.

(4) Any member of the Legislative Assembly may be appointed as a member of the Commission.

Payment of
member of
Assembly
acting on
Commission

(5) Notwithstanding anything in *The Legislative Assembly Act* the appointment of the Chairman or of any other member of the Commission if a member of the Assembly shall not be avoided by reason of the payment to him, or the acceptance by him of any allowance, expenses or disbursements under this Act, nor shall he thereby vacate or forfeit his seat or incur any other penalties imposed by the said Act for sitting and voting as a member of the Assembly.

Rev. Stat.,
c. 12.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 48.

An Act respecting the Northern Ontario Relief Commission.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Northern Ontario Relief* Short title.
(Repeal) Act, 1935.

2.—(1) The corporation established under *The Northern Ontario Fire Relief Committee Act, 1923*, and continued under *The Northern Ontario Relief Act, 1928*, and known as the “Northern Ontario Relief Commission” is hereby dissolved. Dissolution of Northern Ontario Relief Commission.

(2) In so far as the same may be necessary for the due carrying out and completion of any acts, matters, deeds or things now in course of being undertaken by the said Commission, jurisdiction, power and authority with respect thereto shall be vested in the Minister of Public Welfare for Ontario and he shall have power and authority to carry out and complete the same. Transfer of authority to Minister of Public Welfare.

(3) Any properties, funds or moneys now under the direction and control of the said Commission shall be transferred and paid to the Treasurer for Ontario by the person or persons in whose custody or control the same now are. Transfer of funds to the Provincial Treasurer.

3. *The Northern Ontario Fire Relief Committee Act, 1923*, and *The Northern Ontario Relief Act, 1928*, are hereby repealed. 1923, c. 9, and 1928, c. 10, repealed.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 49.

An Act respecting Noxious Weeds.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- Short title. **1.** This Act may be cited as *The Weed Control Act, 1935*.
- Inter-pretation. **2.** In this Act and in any regulation made thereunder unless the context otherwise requires,—
- “Director.” (a) “Director” shall mean the Director of Crops, Seeds and Weeds Branch of the Department of Agriculture;
- “District inspector.” (b) “District inspector” shall mean an inspector of the Department of Agriculture appointed by the Lieutenant-Governor in Council upon the recommendation of the Minister; (*New*)
- “Inspector.” (c) “Inspector” shall mean any officer appointed under the authority of this Act and charged with the enforcement of this Act; R.S.O. 1927, c. 309, s. 1, cl. *c*, amended;
- “Minister.” (d) “Minister” shall mean Minister of Agriculture;
- “Non-resident land.” (e) “Non-resident land” shall mean land which is unoccupied and the owner of which is not resident within the municipality;
- “Noxious weed.” (f) “Noxious weed” shall mean any plant designated noxious by the regulations;
- “Regulations.” (g) “Regulations” shall mean regulations made under the authority of this Act;
- “Unorganized townships.” (h) “Unorganized townships” shall mean townships without municipal organization. R.S.O. 1927, c. 309, s. 1, cls. (*d-h*).

3. The Lieutenant-Governor in Council, upon the recommendation of the Minister, may make regulations,— Regulations.

- (a) prescribing the plants that shall be deemed noxious weeds;
- (b) providing for the appointment or employment of such officials as from time to time may be required for the proper administration of this Act;
- (c) providing for the giving of notice of the provisions of this Act and of the regulations to persons to whom such notice should be given, and the manner of giving the same;
- (d) generally for the better carrying out of the provisions of this Act. R.S.O. 1927, c. 309, s. 2.

4.—(1) The council of any county may, with the consent of the Minister, pass by-laws declaring that plants other than those mentioned in the regulations, for the purposes of this Act, shall be deemed noxious weeds within the county. Declaring certain plants noxious weeds within county.

(2) Any by-law passed under the authority of subsection 1 shall be published in the *Ontario Gazette* and when so published shall have the same force and effect within the county as if the provisions thereof had been contained in the regulations. 1934, c. 64, s. 2, *part*. Publication of by-law.

5. Every occupant of land, or if the land is unoccupied, the owner shall destroy all weeds designated noxious by the regulations as often in every year as is sufficient to prevent the ripening of their seeds. R.S.O. 1927, c. 309, s. 3. Destruction of weeds.

6.—(1) The council of every city, town, village and township shall appoint at least one inspector to enforce the provisions of this Act in the municipality and fix the amount of the remuneration, fees or charges he is to receive for the performance of his duties, and if a vacancy occurs in the office, the council shall fill the same forthwith. Inspector,—appointment of, by council.

(2) The council may by by-law divide the municipality into sections or divisions for the carrying out of the provisions of this Act and may appoint inspectors for such divisions whose duties and powers shall, in all respects, be the same as those of the township inspector. R.S.O. 1927, c. 309, s. 4. Division of municipality into sections.

7.—(1) Where a council neglects or refuses to appoint an inspector as provided in the preceding section the Minister may by writing under his hand, appoint an inspector or inspectors for the municipality and may fix the amount of the remuneration, fees or charges payable to such inspector or inspectors. Inspector,—appointment of by Minister.

Remunera-
tion, fees,
etc.,

(2) Such remuneration, fees and charges shall be paid to the inspector or inspectors upon the order in writing of the Minister addressed to the treasurer of the municipality. R.S.O. 1927, c. 309, s. 5.

Incom-
petence.

(3) If, in the opinion of the Minister, any inspector appointed pursuant to this section is incompetent or remiss in the discharge of his duties, the Minister may cancel the appointment of such inspector by sending a notice in writing in that behalf to the council of the municipality. (*New*).

Member of
council,
road super-
intendent,
foreman,
not to be
inspector.

8. No person shall be appointed or act as an inspector under the provisions of this Act within the corporate limits of a municipality, who is a member of the council of that municipality or who is a township road superintendent or foreman. (*New*).

Consent of
Director
or district
inspector,—
when
required.

9. The powers conferred by this Act upon any inspector to direct the destruction of any grain or forage crop, whether growing or not, or to destroy any such crop, shall not be exercised without first obtaining the consent in writing of the Director or the district inspector. (*New*).

Power of
entry.

10. Any inspector appointed under the provisions of this Act may at any time between sunrise and sunset enter upon any land which is within a district for which he is appointed, and enter any building, other than a dwelling house, situated thereon for the purpose of inspecting same, and may inspect any threshing machine, farm machinery or vehicle in order to search for noxious weeds or weed seeds. (*New*).

Account of
expense to
be kept by
inspector.

11.—(1) The inspector shall keep an account of the expense incurred by him in carrying out the provisions of this Act with respect to each parcel of land entered upon, and shall deliver a statement of such expenses, describing the land entered upon, and verified by oath where the amount exceeds \$5 to the owner or occupant of resident land with a notice requiring him to pay the amount.

Railway
company.

(2) In the case of a railway company, the statement and notice may be given to a station master of the company resident in the municipality, or if there is no station master therein, to a station master resident in an adjoining or neighbouring municipality, or to the divisional superintendent.

Appeal
from cost.

(3) If the owner or occupant deems such expenses excessive he may appeal to the council within fifteen days after the delivery of such statement and the council shall determine the matter in dispute.

(4) If the owner or occupant refuses or neglects to pay such expenses within fifteen days after request for payment, the claim shall be presented to the council and the council shall audit the same and allow it, or so much thereof as may be found properly payable, and order the same to be paid from the general funds of the corporation.

Refusal or neglect to pay cost.

(5) The inspector shall also present to the council a similar statement and where the amount exceeds \$5, verified by oath, of the expenses incurred by him in carrying out the provisions of this Act upon any non-resident land, and the council shall audit and allow the same, or so much thereof as may be properly payable and shall pay so much of it as has been so allowed. R.S.O. 1927, c. 309, s. 6 (1-4), *amended*.

Statement of expenses.

(6) The council shall cause all such sums as have been so allowed and paid to be placed upon the tax roll of the municipality against the land described in the statement of the inspector to be collected in the same manner as other taxes. R.S.O. 1927, c. 309, s. 6 (5).

Expenses to be charge against land.

12.—(1) Notwithstanding the provisions of the preceding sections any district inspector who finds any noxious weeds or weed seeds on any land within the corporate limits of any city, town, village or township shall forthwith deliver or send by registered mail, to the treasurer of such city, town, village or township a notice requiring the destruction of such noxious weeds or weed seeds, or both, before a date to be named in such notice. (*New*).

Destruction of weeds in city, town or village.

(2) In case default is made by any city, town, village or township in complying with the requirements of a notice given pursuant to this section, any district inspector or any person or persons authorized by him may with such teams, machinery and equipment as may be deemed necessary, enter upon any or all of the lands upon which or upon any part of which any noxious weeds or weed seeds are found and proceed to destroy such noxious weeds in such manner as the district inspector may deem proper. (*New*).

Right of entry.

(3) All expenses incurred by any district inspector in the destruction of noxious weeds or weed seeds pursuant to the provisions of this section shall be payable on demand by the city, town, village or township in respect of which the same were incurred and may be recovered by suit brought in any court of competent jurisdiction by the Minister in the name of His Majesty as a debt due to the Crown; and in any such suit a certificate under the hand of the Minister as to the amount of such expenditures shall be accepted as conclusive evidence of the amount of the indebtedness of the city, town,

Expenses,—how payable.

village or township, as the case may be, in respect of such expenditures. (*New*).

Inspector
to report
amount
expended
to clerk.

13.—(1) Notwithstanding the provisions of section 11, in cities and towns where the person appointed as inspector is an officer or servant of the corporation he shall report to the clerk the amount expended by the municipality in carrying out the provisions of this Act with respect to each parcel of land and the clerk shall place on the collector's roll of the municipality the sum so expended against the respective lands, and such sum shall be collected in the same manner as other taxes, subject to an appeal to the court of revision of the said city or town at any time during the year in which the said sums are placed on the collector's roll. 1928, c. 51, s. 2.

Application
of section
in townships.

(2) The council of any township adjacent to a city or town may by by-law declare that, with respect to the whole township or any defined area or areas in such township, the provisions of this section shall apply as in the case of a city or town. (*New*).

Road
authority,—
duty of as
to cutting
weeds.

14.—(1) It shall be the duty of every road authority to see that all weeds growing upon streets or highways under its jurisdiction are cut down or destroyed at the proper time to prevent the ripening of their seed, and to appoint such officers as may be necessary for that purpose.

"Road
authority,"—
meaning of.

(2) In this section "road authority" shall have the same meaning as in *The Highway Improvement Act*.

Default
of road
authority.

(3) Upon the report of the Minister of Agriculture that any road authority is in default in the duty imposed upon it by subsection 1, the Lieutenant-Governor in Council may direct that any sums of money payable out of the Consolidated Revenue Fund in respect of roads under the jurisdiction of such road authority under *The Highway Improvement Act* or any other Act relating to highways shall be withheld until it is shown to the satisfaction of the Minister of Highways that the road authority has carried out the duty so imposed.

Cost of
weed
cutting,—
how to be
met.

(4) The council of a local municipality may by by-law provide that thereafter the annual cost of cutting down or destroying noxious weeds on any highway under the control of the municipality, but which has not been assumed by the corporation, shall be specially assessed upon the lands abutting directly on such highway.

Destruction
of weeds
not to be
deemed
assumption
of highway.

(5) Neither the passing of a by-law under subsection 4, nor the expenditure of public money for cutting down or destroying noxious weeds upon a highway shall be an assumption of such highway for public use by the municipal

corporation

corporation having control of such highway so as to render such corporation liable for repair or for damages resulting from non-repair within the meaning of *The Municipal Act*, 1928, c. 51, s. 3.

15. It shall be the duty of every railway company to prevent noxious weeds from growing upon any land owned or occupied by it for the purposes of, or in connection with its railway undertakings. (New). Railway company,—duty of.

16. For the purposes of this Act, every occupant of land shall be responsible for all noxious weeds growing to the low water mark of any river, stream, lake or other body of water. (New). Occupant of land to be responsible.

17. No person shall deposit or permit to be deposited any noxious weeds or weed seeds on any road, road allowance, highway, street or lane or in any river, stream, lake or body of water. (New). Depositing noxious weeds on road prohibited.

18. Every person in possession or charge of any machine used for threshing shall, before removing such machine, or any equipment used in connection therewith, to another farm, or before travelling upon any public roadway, clean or cause the same to be cleaned thoroughly both inside and out, by the removal of all seeds and other crop refuse. Threshing machine,—cleaning of

19.—(1) Every person, firm or company owning or operating a threshing machine or separator, or causing the same to be operated for hire, shall each year before commencing operations, register such threshing machine or separator with the Minister and shall procure a certificate of registration as in Form A in the schedule hereto. Registration of threshing machine.

(2) Such registration certificate shall be kept posted in a conspicuous place upon the machine or separator by the owner or operator during the whole of the threshing season. Posting of registration certificate.

(3) (a) The fee for registration shall be \$1.00, but in case of a machine not used for hire there shall be no fee; Fees.

(b) Notice of any transfer or change of ownership of any machine registered under this Act shall be promptly forwarded to the Minister. Transfer of ownership.

(4) Failure to comply with the provisions of this section shall be an offence and the offender shall be liable to a penalty of not less than \$10 nor more than \$25. (New). Penalty.

Refuse.

20. Every person responsible for the operation of a grain elevator, grist mill, flour mill, seed cleaning plant or other grain cleaning or grinding machinery shall dispose of all refuse, containing weed seeds, in such a manner that such weed seeds do not create a weed menace to neighbouring or other property. (*New*).

Un-organized territory.

21. In unorganized territory where road commissioners have been appointed under *The Statute Labour Act* such commissioners shall for the purposes of this Act have the powers and perform the duties of an inspector, and all the provisions of this Act and the regulations shall apply in the same manner as in the case of an unorganized municipality except that any sums payable by any person liable for expenses incurred or remuneration paid in carrying out the provisions of this Act shall be collectible in the manner provided in *The Statute Labour Act* with respect to the enforcement of the payment of charges for statute labour or commutation thereof. (*New*).

District inspectors.

22. In any unorganized territory or division thereof, the Minister may appoint inspectors where he deems it necessary for the better carrying out of the provisions of this Act. (*New*).

Penalty, refusal or neglect.

23. Any person who contravenes any of the provisions of this Act or refuses or neglects to obey any lawful order of an inspector given under the authority of this Act, shall incur a penalty of not less than \$10 nor more than \$50 for every such offence. R.S.O. 1927, c. 309, s. 8.

Penalty,—obstructing inspector.

24. Any person interfering with or obstructing any inspector in the performance of his duties under this Act shall incur a penalty not exceeding \$50. (*New*).

Recovery of penalties.

25. The penalties imposed by or under the authority of this Act shall be recoverable under *The Summary Convictions Act*. R.S.O. 1927, c. 309, s. 9.

Rev. Stat., c. 309, 1928, c. 51; 1934, c. 64, repealed.

26. *The Weed Control Act*, being chapter 309 of the Revised Statutes of Ontario, 1927, *The Weed Control Act*, 1928, and *The Weed Control Act*, 1934, are repealed.

Commencement of Act.

27. This Act shall come into force on the day upon which it receives the Royal Assent.

FORM A

THE WEED CONTROL ACT, 1935

(Section 19)

PROVINCE OF ONTARIO

DEPARTMENT OF AGRICULTURE

Registration Certificate of Threshing Machine No.

THIS IS TO CERTIFY THAT.....
of.....
has duly registered his threshing machine in accordance with the pro-
visions of section 19 of *The Weed Control Act, 1935*.

Dated at Toronto, this }
.....day of.....
.....19... }
Minister of Agriculture.

CHAPTER 50.

An Act for Raising Money on the Credit of the Consolidated Revenue Fund.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Ontario Loan Act, 1935*.

Loan of
\$60,000,000
authorized.

2. The Lieutenant-Governor in Council is hereby authorized to raise from time to time by way of loan such sum or sums of money as may be deemed expedient for any or all of the following purposes, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario and for the carrying on of the public works authorized by the Legislature; Provided that the principal amount of any securities issued and the amount of any temporary loans raised under the authority of this Act, including any securities issued for the retirement of the said securities or temporary loans, at any time outstanding, shall not exceed in the whole sixty million dollars (\$60,000,000).

Terms to be
fixed by
Lieutenant-
Governor.

3. The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

Sinking
Fund.

4. The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 3 of *The Provincial Loans Act*.

Rev. Stat.
c. 23.

Commence-
ment of
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 51.

An Act to amend The Ontario Municipal Board Act, 1932.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

1. This Act may be cited as *The Ontario Municipal Board Amendment Act, 1935.* Short title.

2. Subsection 2 of section 10 of *The Ontario Municipal Board Act, 1932*, is repealed. 1932, c. 27, s. 10, sub. 2, repealed.

3. Sections 60 to 77, being Part IV of *The Ontario Municipal Board Act, 1932*, and amendments thereto are hereby repealed. 1932, c. 27, ss. 60 to 77, repealed.

4. *The Ontario Municipal Board Act, 1932*, is amended by adding the following sections to Part V thereof: 1932, c. 27, Part V, amended.

89. Notwithstanding the provisions of any general or special Act a municipality shall not exercise any of its powers to proceed with, authorize or provide any moneys for any undertaking, work, project, scheme, act, matter or thing, the cost or any portion of the cost of which is or is intended or required to be provided or raised by the issue of debentures of the municipality, until the approval of the board has first been obtained. Capital undertakings to be approved by the board before being proceeded with.

90. No by-law shall be passed by a municipality for any of the purposes mentioned in section 89 until the approval of the board has first been obtained. Capital undertaking by-laws not to be passed until approved.

91. Upon an application being made to the board for the approval required by section 89, the board shall proceed to deal with the application in the manner provided by and shall have regard to the matters mentioned in section 87, and may hold such public hearings as to the board may appear necessary. Inquiry by the board.

Board may
impose
conditions
on giving
approval.

92. The board as a condition of giving its approval as required by section 89, may by its order impose such restrictions, limitations and conditions upon the municipality with respect to the matter before the board or with respect to the current annual or future annual expenditures of the municipality for any purpose or with respect to further issues of debentures by the municipality, and otherwise with respect to the conduct and administration of the affairs of the municipality as to the board may appear necessary or expedient.

Board not
required to
approve.

93. The board shall not be required to give its approval on any application made to it under section 89, and shall not give such approval unless satisfied that the same is justified under all the circumstances.

Municipality
may proceed
upon
approval.

94. When the board has given its approval as required by section 89, the municipality may thereafter proceed in the manner and to the extent provided for by or consequent upon such approval, and for such purpose may exercise all its powers and do all things necessary or incidental thereto, and may pass all requisite by-laws, including debenture by-laws.

1932,
c. 27,
Part VI and
Forms
repealed.

5. Sections 89 to 129, being Part VI of *The Ontario Municipal Board Act, 1932*, and amendments thereto and forms 1 to 4 to the said Act are hereby repealed.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 52.

An Act to amend The Ontario Training Schools Act, 1931.

Assented to April 18th, 1935

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Ontario Training Schools Amendment Act, 1935*. Short title.

2. Clause *h* of section 2 of *The Ontario Training Schools Act, 1931*, is repealed. 1931, c. 60, s. 2, cl. h, repealed.

3.—(1) Subsection 1 of section 13 of *The Ontario Training Schools Act, 1931*, is amended by striking out the words “in which such boy or girl was a resident at the time of admission” 1931, c. 60, s. 13, subs. 1, amended. in the third and fourth lines and inserting in lieu thereof the words “to which such boy or girl belongs,” so that the said subsection shall now read as follows:

(1) Subject as in this Act may otherwise be provided, Municipal per diem liability. when any boy or girl is admitted to a training school that municipality to which such boy or girl belongs shall be liable to the Department for and shall pay the sum of seventy-five cents per day towards the cost of maintenance and education of such boy or girl for each actual day's stay of the said boy or girl in the training school.

(2) The said section 13 is amended by adding thereto the following subsections: 1931, c. 60, s. 13, amended.

(1a) For the purposes of this section a boy or girl shall be deemed to belong to the municipality in which such boy or girl has last resided for the period of one year; What presumed to be residence of child. but in the absence of evidence to the contrary, residence for one year in the municipality in which the boy or girl was taken into custody shall be presumed.

(1b)

Where
child's
residence
insufficient,
mother's
taken.

- (1b) Where the boy or girl has not resided in any municipality in Ontario for one year, the municipality in which the boy's or girl's mother has last resided for one year shall be deemed liable for maintenance.

What
periods
to be
excluded
in fixing
time.

- (1c) In the computation of the time in subsections 1a and 1b, the time during which the boy or girl, or the mother of such boy or girl, was an inmate of a children's, infants', maternity or other boarding home, a correctional or charitable institution, a hospital or any home or institution for custodial, medical or other care or supervision shall not be regarded, and the time during which the mother has resided in a municipality while her child was an inmate of any such home or institution shall likewise be disregarded.

Judge to
determine
municipality
liable.

- (1d) In all other cases the judge shall determine the municipality to which the boy or girl belongs.

Commence-
ment of
Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 53.

An Act to declare the law with respect to
The Hydro-Electric Power Commission
of Ontario and with respect to certain
invalid contracts.

Assented to April 18th, 1935.

WHEREAS The Hydro-Electric Power Commission of Preamble.
Ontario was created a body corporate without capital
to serve the interests of the people of Ontario and to supply
such power or energy as the municipalities and the people of
the said Province might require; and whereas it never was
the intention of the Legislature of Ontario that the said Com-
mission should have authority to impose financial and other
obligations without consent upon the said municipal corpora-
tions, power users and taxpayers of the Province; and whereas
in the year 1926 and subsequently The Hydro-Electric Power
Commission of Ontario and certain corporations hereinafter
more particularly referred to, did, without the consent of the
said municipalities, or the ratepayers thereof, contrary to the
rights of the said municipalities under existing contracts with
the said Commission, and contrary to *The Power Commission
Act*, and without regard to the provisions of *The British North
America Act*, purport to obligate the said Commission by divers
contracts to purchase over long periods of time large quantities
of power generated without the Province of Ontario regardless
of whether or not the said power was desired or could be used
by the said municipalities; and whereas the said Commission
has made payments of large sums of money under the said
alleged contracts and has illegally charged the cost of the
same against certain municipal corporations, and has thereby
so increased the cost of power as to threaten industry within
the Province and to cause unemployment; and whereas it is
desirable to declare the law;

Now, therefore, His Majesty, by and with the advice and
consent of the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. This Act may be cited as *The Power Commission Act*, Short title.
1935.

Certain
contracts
declared
illegal,
void and
unenforce-
able.

2. The said contracts, as hereinafter set forth, are hereby declared to be and always to have been illegal, void and unenforceable as against The Hydro-Electric Power Commission of Ontario, such contracts being as follows:

- (a) Between the said Commission and Gatineau Power Company, five contracts bearing date the 19th day of May, 1926, and one contract bearing date the 27th day of July, 1926, set out in Schedule "A," hereto;
- (b) Between the said Commission and Gatineau Power Company, two contracts bearing date the 28th day of December, 1927, set out in Schedule "B" hereto;
- (c) Between the said Commission and Beauharnois Light, Heat and Power Company, one contract bearing date the 29th day of November, 1929, set out in Schedule "C" hereto;
- (d) Between the said Commission and Chats Falls Power Company, also known as Ottawa Valley Power Company, one contract dated the 15th day of February, 1930, and one contract dated the 24th day of February, 1931, known respectively as the "Power Contract" and the "Operating Contract," set out in Schedule "D" hereto;
- (e) Between the said Commission and James McLaren Company, Limited, one contract dated the 20th day of December, 1930, and one contract dated the 14th day of January, 1931, set out in Schedule "E" hereto.

Action
not to be
brought
against
Commission

3. No action or other proceeding shall be brought, maintained or proceeded with against the said Commission founded upon any contract by this Act declared to be void and unenforceable, or arising out of the performance or non-performance of any of the terms of the said contracts.

Contracts,—
authority
to enter
into.

4. The said Commission may from time to time pay for such power as it deems advisable, and may, with the approval of the Lieutenant-Governor in Council enter into contracts therefor, and may distribute the cost thereof and all proper charges incidental thereto as determined by it among such municipalities and in such proportions as it may deem equitable, and all distribution as to such costs and charges for power heretofore purchased are validated and confirmed.

Powers of
Commission.

5. The powers by this Act conferred on the said Commission shall be supplementary to the powers conferred on the said Commission by any other Statute.

Commence-
ment of
Act

6. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

SCHEDULE "A"

BETWEEN THE HYDRO-ELECTRIC POWER COMMISSION
OF ONTARIO

—AND THE—

GATINEAU POWER COMPANY

1. AGREEMENT, 19TH OF MAY, 1926.
2. AGREEMENT, 19TH OF MAY, 1926.
3. AGREEMENT, 19TH OF MAY, 1926.
4. AGREEMENT, 19TH OF MAY, 1926.
5. AGREEMENT, 19TH OF MAY, 1926.
6. AGREEMENT, 27TH OF JULY, 1926.

1

This Indenture dated the "19th day of May," A.D. 1926.

BY AND BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,
hereinafter called the Commission,

—and—

GATINEAU POWER COMPANY, a Quebec Corporation,
hereinafter called the Company:

Witnesseth That

Whereas the Commission, acting under *The Power Commission Act*, R.S.O. 1914, Chapter 39 and Amendments thereto, is authorized to enter into an agreement for a supply of electrical power or energy to the Commission;

And whereas the Company is duly incorporated under laws of the Province of Quebec, and is carrying on business or proposes so to do for the production and sale of electrical power or energy in the said Province of Quebec;

And whereas the Company is prepared to deliver electrical power or energy from its pending and future developments on the Gatineau River in the Province of Quebec to the Commission at the interprovincial boundary on the Ottawa River, at or near Chats Falls, and is willing to enter into an agreement with the Commission for such purposes;

Now therefore this Indenture witnesseth:

That for the consideration herein contained, the parties hereby covenant, promise and agree as follows:

1. The Company agrees:

(a) To keep available for delivery to the Commission and deliver when and as required by the Commission on the first day of October, 1928, and thereafter so long as this Agreement shall continue in force eighty thousand (80,000) horsepower of electrical power or energy, on the conditions herein contained. Eighty Thousand (80,000) horsepower shall be the contract demand until such contract demand is increased as provided in sub-clause (b) next following:

1. (b) To keep available for delivery to the Commission and deliver when and as required by the Commission on the first day of October, 1929, and thereafter so long as this Agreement shall continue in force, an additional amount of fifty thousand (50,000) horsepower of electrical power or energy, on the conditions herein contained, making a total contract demand

of one hundred and thirty thousand (130,000) horsepower until such contract demand is increased as provided in sub-clause (c) next following.

1. (c) To keep available for delivery to the Commission and deliver when and as required by the Commission on the first day of October, 1930, and thereafter so long as this Agreement shall continue in force, an additional amount of thirty thousand (30,000) horsepower of electrical power or energy on the conditions herein contained, making a total contract demand of one hundred and sixty thousand (160,000) horsepower until such contract demand is increased as provided in sub-clause (d) next following.

1. (d) To keep available for delivery to the Commission and deliver when and as required by the Commission on the first day of October, 1931, and thereafter so long as this Agreement shall continue in force an additional amount, not less than seventy thousand (70,000) nor more than one hundred thousand (100,000) horsepower of electrical power or energy as the Company on or before March 1st, 1930, shall specify in a notice to the Commission, on the conditions herein contained and which additional amount as fixed by the said notice added to the contract demand previously established under sub-clause (c) next preceding shall constitute the maximum contract demand.

1. (e) To install at its said Gatineau River developments sufficient equipment so as to insure fulfilment at all times of the terms of this Agreement.

1. (f) Subject to Clause 2, and Clause 5, to deliver to the Commission whenever required by the Commission, electrical power or energy up to the maximum available overload and spare capacity specified in Clause 3 (d).

1. (g) To provide a storage reservoir or storage reservoirs on the Gatineau River of eighty-two billion (82,000,000,000) cubic feet capacity, this amount having been determined by the Quebec Streams Commission as the appropriate amount to provide a minimum regulated flow at Chelsea in excess of nine thousand (9,000) cubic feet per second under normal low water conditions and an absolute minimum flow of eight thousand (8,000) cubic feet per second in the driest year on record; to use its best efforts to have such storage administered to the best advantage to facilitate its performance of this Agreement; to deliver the full amount of electrical power or energy called for in Clauses 1 (a), 1 (b), 1 (c), and 1 (d), subject to Clause 2 (c), at all times when the flow at Chelsea is one thousand (1,000) cubic feet per second or more in excess of the said absolute minimum of eight thousand (8,000) cubic feet per second, or of such increased absolute minimum as may be created by the provision of additional storage; at all other times to reduce this amount only to the extent that a reduction in the said one thousand (1,000) cubic feet per second of excess flow reduces its output, and, should the stream flow at any time decrease to less than the said absolute minimum, to keep available and deliver to the Commission a ratable proportion of all electrical power or energy possible under such conditions basing the apportionment on the amount of electrical power or energy to which the Commission is entitled when the stream flow is down to the said absolute minimum, and reducing such amount by the same per cent. by which the stream flow falls below the said absolute minimum.

2. (a) The power delivered hereunder shall be alternating, three-phase, having a periodicity of approximately 25 cycles per second and a pressure between phase wires not exceeding the commercial maximum voltage of approximately two hundred and thirty thousand (230,000) volts subject to a reduction of not over fifteen per cent. (15%) from the said maximum voltage, from time to time, as the Commission may direct, and the equipment and apparatus installed by the Company in its plants shall be suitable for operation to obtain this condition; provided, however, that nothing herein shall be construed as obligating the Company to install apparatus having capacity in excess of its rated capacity at normal voltage. The Company shall maintain the Generator voltage within two per cent. (2%) of the generator voltage corresponding to the voltage directed by the Commission as aforesaid and shall install suitable equipment for such purpose, provided that if the Commission at any time take power, as provided for in Clause 1 (f), in excess of the contract demand, then the Company shall, during such excess taking, maintain the voltage and frequency as aforesaid as nearly as possible with the equipment then installed.

2. (b) Whenever the Commission shall require, from time to time, the Company shall increase or decrease the voltage and frequency of its plant or plants, within safe operating limits of the then existing equipment of such plant or plants to the extent required by the Commission in order to ensure operation satisfactory to the Commission in parallel with other sources of supply. It is understood and agreed that in operation of plants in parallel the control of power factor and power delivery in any generating plant is to a large extent within the control of the operators in that plant and the Company agrees so far as it can do so with its equipment installed to so operate its plants as to maintain a power factor at its points of measurement to the Commission and also the delivery of power within the limits directed by the Commission, from time to time, provided that by so doing it shall if and to the extent necessary be relieved from its obligations as to voltage and frequency regulation specified in Clause 2 (a).

2. (c) The Commission shall be entitled to the contract demand up to a maximum weekly load factor of seventy per cent. (70 %) thereof, and no more, that is to say, that during each week after October 1st, 1928, so long as this Agreement shall remain in force the Commission shall be entitled, subject to the provisions of Clause 3 (e), to receive such electrical power or energy as it shall require, not in excess of eighty-eight (88) kilowatt hours for each horsepower of contract demand.

On Sundays and holidays the Commission, at the request of the Company shall take not less than three (3) kilowatt hours for each horsepower of contract demand. On Saturdays the Commission, at the request of the Company, shall take not less than seven (7) kilowatt hours for each horsepower of contract demand.

2. (d) The maximum amount of the electrical power or energy delivered by the Company at any time when the ratio of the kilowatts to the kilovolt amperes is less than eighty-five per cent. (85 %) shall be eighty-five per cent. (85 %) of the kilovolt amperes considered as true power or kilowatts.

2. (e) If in any of the seven year periods, below described, the Company shall, due to conditions of stream flow, fail to have available for the Commission during the months of September to February inclusive, the full number of kilowatt hours to which the Commission is entitled under this Agreement during such months, and such failure shall extend to more than four per cent. (4 %) of such kilowatt hours, then and in such case the contract demand shall thereafter, at the option of the Commission, be reduced to such a point that had the reduced contract demand been in effect during such seven year period the deficiency aforesaid would have equalled but not exceeded four per cent. (4 %) of the full number of kilowatt hours to which the Commission would be entitled under the reduced contract demand during the months of September to February inclusive of a seven year period.

The first such seven year period shall begin October 1st, 1931, and the other seven year periods shall follow successively, provided, however, that if at the end of the sixth or any earlier year of any such seven year period the total permissible deficiency for the whole seven year period (an aggregate of twenty-eight (28) per cent. of the full number of kilowatt hours to which the Commission was entitled in any six months under the contract demand as it existed during such period) shall have been exceeded, then and in that case, the Commission may by notice in writing to the Company terminate such seven year period at any time thereafter within such seven year period, and a new seven year period shall begin forthwith and whenever such period is so ended the contract demand shall thereafter be reduced by a percentage determined by ascertaining the deficiency so occurring during the months of September to February, inclusive, of the years of such period then elapsed, expressing the same as a percentage of the full number of kilowatt hours to which the Commission was entitled in any six months under the contract demand as it existed during such period, reducing such percentage by twenty-eight, and dividing the balance by seven.

If the first such seven year period is so ended before its normal expiration the consequent reduction of contract demand shall be by a percentage determined by ascertaining the deficiency so occurring during the months of September to February, inclusive, of the years of such period then elapsed,

expressing the same as a percentage of the full number of kilowatt hours to which the Commission was entitled in any six months under the maximum contract demand, reducing such percentage by twenty-eight, and dividing the balance by five (or by six if such seven year period shall have been ended at the end of its sixth year).

But any reduction of the contract demand shall be eliminated and the original contract demand restored after, and to the extent, that the deficiency in stream flow causing the same is remedied by the provision of additional storage.

2. (f) In the application of the provisions of this Agreement the Company shall be entitled to the same credit for horsepower and kilowatt hours held available for the Commission but not taken by the Commission as if the same had been taken by the Commission, and except as provided in Clause 5 (b), no failure by the Commission to provide the necessary transmission and other facilities to receive such power, and no failure to use the same, shall relieve the Commission from any of its obligations to make the full amount of the payment herein specified to be made by it. For all purposes of this agreement the Company shall be considered to have held available for the Commission in each week all the horsepower and kilowatt hours to which the Commission was entitled in that week unless the Company fails to have available the power which the Commission asks for, being entitled to the same under the provisions hereof, and the Commission complains of such failure at the time, and unless within fourteen days after the end of that week the Commission shall have given to the Company written notice of the fact and approximate amount of the deficiency.

If at any time, however, the Commission anticipates a deficiency in stream flow within the ensuing six (6) months' period, it may give to the Company written notice stating and certifying as facts that the Commission anticipates during the ensuing six (6) months such a deficiency in stream flow as would prevent the Company making full deliveries to the Commission throughout that period, that because and only because of such anticipated deficiency and of its desire to regulate its supply during the same the Commission desires the Company to curtail its deliveries to the Commission during such period, specifying the weeks during which the Commission desires such curtailment made, certifying that the number of kilowatt hours which in each such week the Commission would require were it not for such anticipated deficiency are as specified in such notice, stating the number of kilowatt hours curtailment which the Commission desires in each such week and giving as the balance in each such week the number of kilowatt hours which the Company is to deliver to the Commission in each such week under such curtailment programme. Such notice shall be delivered to the Company at least one clear week before the first week in which it requires curtailment. The Company shall thereupon reduce as therein required its deliveries to the Commission, and shall not be considered to have held available for the Commission in any week specified in such notice the kilowatt hours of curtailment specified in the notice, and the Commission shall be entitled to a reduction in its payments for such week in the ratio which the kilowatt hours of curtailment bear to full contract deliveries, unless at the end of the period it shall appear that there was in fact water available either from storage or from precipitation or natural run off for the supply of all or part of the kilowatt hours of curtailment. To the extent to which there was in fact water available as aforesaid to generate such kilowatt hours of curtailment the Commission shall promptly make good with interest at six per cent. (6%) per annum the amount by which its payments shall have been reduced on account of such curtailment.

The Company by receipt of any such notice shall not be bound forthwith and from day to day or week to week to curtail its deliveries to its other customers, but shall so administer the utilization of stream flow and storage that over the period covered by the notice, if the anticipated deficiency in fact occurs, the Commission shall at all times during the period specified in such notice as well as at the end thereof receive so far as is possible within the limitations imposed by the curtailment instructions of the Commission and the provisions of Clause 2 (c) its full share of the available electrical power or energy on the basis set forth in Clause 1 (g).

The Commission may at any time vary the curtailment specified in such notice for any week by giving the Company written notice of such modification at least seven days before the beginning of such week.

2. (g) If the Commission shall inadvertently take in any week more kilowatt hours than it is entitled to take in such week, and the Company shall not in advance of such excess taking have filed with the Commission a protest against the same, then upon notification from the Company the Commission will adjust the matter by making a corresponding reduction in its takings in the next following week in which its requirements permit it to do so, and the Commission shall not be subject to any penalty for such excess taking, or for any delay in making good the same. A protest from the Company for the purpose of this clause must be based upon a prior excess taking by the Commission and may not cover a period beyond the six months next following such excess taking. After receipt of such protest and during the period covered thereby the Commission shall limit its weekly taking to the number of kilowatt hours which it is entitled to take hereunder, always provided that the Company, so far as practicable, regulates the rate of delivery of power and the kilowatt hours from time to time as the Commission may direct.

2. (h) Because of the fact that the high voltage circuits involved in this Agreement will be physically connected and operated in parallel with those from other power sources, and because of the magnitude and nature of the system involved, it is necessary that the Commission and the Company co-operate. The Commission and the Company will co-operate in respect of all matters of common interest including plant and equipment design, hydrology and storage, provided that the Commission and the Company shall each have the final decision and be responsible for its respective plant and properties. The Commission and the Company will also co-operate in respect of design of control, protective, communication and other such features, as necessitate similar or co-ordinated equipment at the plants of each party. The Commission and the Company shall also install only first-class modern equipment, of such characteristics and type as are best suited for the service intended, and from time to time make such commercially reasonable changes in, or additions to, such equipment (other than major equipment) as will best serve the system as a whole. The Commission and the Company shall exercise all due skill and diligence so as to secure the satisfactory operation as a system, of the plant, apparatus, and property of both the Commission and the Company, including, without limiting the generality of the foregoing, parallel operation, voltage, power factor and any problems which may arise in connection with the use of such high voltage specified and length of lines contemplated.

3. The Commission agrees:

(a) To pay to the Company in monthly payments for all power under this Agreement at the rate of fifteen dollars (\$15.00) per horsepower per annum on the contract demand which is a total amount of one hundred thousand dollars (\$100,000) per month from October 1st, 1928, until October 1st, 1929; one hundred sixty-two thousand five hundred dollars (\$162,500) per month from October 1st, 1929, to October 1st, 1930; two hundred thousand dollars (\$200,000) per month from October 1st, 1930, to October 1st, 1931; and thereafter while this Agreement remains in force the amount in dollars per month which is obtained by multiplying the maximum contract demand as determined in Clause 1 hereof by one and one-quarter ($1\frac{1}{4}$); the said monthly payments being subject always to adjustment as in this Agreement provided.

It is understood that the power developments necessary to supply the contract demand are of such size that they cannot advantageously be financed exclusively in Canada; and that therefore it will be desirable that the bonds issued by the Company to finance the development be payable, principal and interest, at the option of the holder, in gold coin of the United States of America, as have been the bonds of the Province of Ontario and of the Dominion of Canada which have been sold in the United States since the war. The Commission agrees to make all the payments to be made by it under this Agreement, in lawful money of Canada or in gold, as requested by the Company, at Toronto. If, however, and when the export of gold from Canada be embargoed, the Commission will, at the request of

the Company make such payments in New York funds. The Commission shall also have the right at its option to make any such payments at any time in New York funds.

3. (b) To pay the said monthly payments to the Company on the 20th day of each calendar month for the accrual of the preceding calendar month, the Company to render the bill on or before the 10th; provided that if any bill remains unpaid on the 20th of the month in which it is rendered, the Commission shall thenceforth be in arrears for said payment and all payments in arrears shall bear interest at the rate of seven per cent. (7%) per annum; provided further that if the Commission or the Company be entitled to any adjustment in respect of any payment, such adjustment shall be given effect to in the monthly payment falling due next after the determination thereof, and no portion of any monthly payment shall be postponed pending determination of any such adjustment, except if and to the extent that any decision or determination on such adjustment (even though under appeal) shall have held the Commission entitled to the adjustment.

3. (c) At all times to take and use the three-phase power in such manner that the current will be equally taken from the three phases and in no case shall the difference in current between any two phases be greater than five per cent. (5%). If such difference be greater than five per cent. (5%), the Commission, upon instructions from the Company, shall so adjust its load as to comply with these requirements.

3. (d) At all times to take and use the power set out in Clauses 1 (a), 1 (b), 1 (c), and 1 (d) hereof, so as not to exceed the weekly takings as specified in Clause 2 (c) herein; provided that the Commission may at any time, but subject to the provisions of Clause 2 herein, increase the rate of taking of power to an amount in excess of the Contract demand, up to the limits of the overload capacity of all the equipment used from time to time by the Company exclusively to meet its obligations hereunder, and of all the unused and available capacity of the remaining 25 cycle equipment of the Company, including such spare capacity as the Company may install in order to reasonably provide for meeting the Company's obligations under this Agreement.

3. (e) To give to the Company from time to time such information as it reasonably can regarding its expected requirements in kilowatt hours from the Company, particularly as to any probable reduction in such requirements for any prospective period of light load. The intent of the parties in this clause is so far as is possible by reasonable co-operation to provide for the most economic use of the storage waters on the Gatineau watershed.

4. (a) The measurement of electrical power or energy under this Agreement shall be made by means of suitable polyphase recording demand meters and integrating kilowatt-hour meters, provided and installed by the Company and so arranged as to measure and record accurately the said power. Readings from the said kilowatt-hour meters shall be taken daily at the same hour and recorded by the Company on forms supplied by the Commission. Records from the said kilowatt-hour meters and the said recording demand meters shall be dated and forwarded promptly by the Company to the Commission and such records on file with the Commission shall be available to the Company for inspection at all reasonable times.

4. (b) The weekly taking of energy shall be determined from the weekly readings of the said kilowatt-hour meters. The power delivered under this Agreement shall be that recorded by the above mentioned polyphase recording demand meters and the demand shall be the greatest integrate demand for any twenty (20) consecutive minutes as determined from coincident readings of the meters used in the measurement of this power, provided that nothing in this sub-clause shall be construed as increasing any obligation of the Company under Clause 1.

4. (c) The power and energy covered by this Agreement shall be delivered at approximately two hundred and thirty thousand (230,000) volts (subject to Clause 2-a) as hereinbefore mentioned at the boundary between the Provinces of Ontario and Quebec at or near Chats Falls, and the Company shall install the suitable and necessary transformers, and

either

either two transmission circuits of three wires each, or a single circuit loop of three wires for transmission from the generating plant or plants to the point of delivery, of a type and capacity approved by the Commission. Instead of installing two circuits from the generating plants to the point of delivery, the Company may, at its option, install one single circuit loop connecting the point of delivery and the generating plants (in any event there shall be two circuits at point of delivery), or at the option of the Company, the circuits, double or loop, may in whole or in part be of One Hundred and Ten Thousand (110,000) or other intermediate voltage lower than approximately Two Hundred and Thirty Thousand (230,000); the Company in this case shall provide all the necessary intermediate step-up transformers and other equipment involved and make delivery at approximately Two Hundred and Thirty Thousand (230,000) volts according to the requirements of this Agreement. The power and energy supplied under this Agreement shall be measured on the generator voltage side of the Two Hundred and Thirty Thousand (230,000) volt step-up transformers at Farmer's, Chelsea and/or Paugan and no adjustment of such measurement shall be required except as below provided, the loss in single step transformation from generator to transmission voltage (approximately 230,000 volts as above) and transmission at this voltage from the transforming station or stations to the point of delivery having already been considered in the price herein specified. Such allowable losses shall not, however, in any case, include (1) more than one transformation loss on the total amount of power or energy involved, or (2) additional losses due to transmission at any intermediate voltage or to additional length of transmission. Any additional losses due to (1) and (2) shall be borne by the Company.

The Company will provide a suitable communication system between its plants and the point of delivery.

4. (d) Access to said instruments and transformers belonging to the Company shall be free to the Commission at any and all times and the Commission may test such measuring instruments and transformers at any reasonable time in the presence of a representative of the Company, by giving to the Company seven (7) days' previous notice in writing, of its desire to test such measuring instruments.

4. (e) Measuring instruments with the necessary current and potential transformers for the measurement of electrical power or energy hereunder shall be provided, installed and maintained by the Company.

The Company agrees to test each meter installed by it to measure the electrical power and energy contracted for hereunder, at least once in each sixty (60) days. The Commission shall be advised at least five (5) days before the day of the test so they may if they so desire have a representative present to witness and verify such test. At any time the Commission notifies the Company that it believes that such meters or any of them are not within the closest practicable agreement with perfect accuracy, said meter or meters shall be jointly tested within five (5) days of the receipt by the Company of the said notice. If any meters shall be found, on regular or special test, to be inaccurate, it shall be properly adjusted and the record of its readings taken since the last prior test and all bills affected shall be corrected. The Company shall repair or replace and retest defective meters or measuring equipment within a reasonable time. During any time there is no meter in service it shall be assumed that the energy consumed is the same as for other days of the same month on which a similar load existed.

4. (f) The Commission may from time to time at its option install duplicate measuring equipment including necessary current and potential transformers at the points of measurement for the purpose of checking the records obtained from the Company's measuring equipment or for any other purpose.

4. (g) The Company shall be responsible for any damages to property or apparatus furnished by the Commission for the purpose of supplying or measuring power hereunder and installed on the Company's property, providing such damage originates from a source external to the said apparatus of the Commission and is not due to defects in the apparatus of the Commission.

4. (h) The kilowatts, kilovolt-amperes, kilowatt hours, or any other factor or quantities shall be determined directly or indirectly from the

measuring

measuring equipment provided for in this Clause 4, and the University of Toronto electrical standards shall be used as the final reference as to the accuracy of the measuring equipment.

5. (a) Subject to the direction of the Commission, as provided in Clause 2, the maintenance by the Company of approximately the agreed voltage, at approximately the agreed frequency, at the point of delivery, together with the ability of the Company to meet the requirements of the Commission under this Agreement, shall constitute the delivery of power involved in this Agreement, provided, however, that the provision in Clause 2 (a) as to 2 % regulation of voltage shall apply only at the points of generation.

5. (b) In case the Company shall, at any time or times, be prevented from delivering, or the Commission from receiving the said power, or any part thereof, by strikes, lockouts, riots, fire, invasion, explosion, act of God, the King's enemies, or any other similar cause or causes reasonably beyond the control of them or either of them, then to the extent of such prevention, the Company shall not be bound to deliver and the Commission shall not be bound to pay for such power during such time.

Each party shall be prompt and diligent in removing the cause of such interruption (and to this end shall in advance of any such interruption provide a reasonable reserve of spare parts and apparatus), and as soon as the cause of such interruption is removed, the Company shall, without any delay, deliver said power as aforesaid and the Commission shall pay for the same.

The Commission agrees, however, that in no period of seven consecutive years, beginning October 1st, 1928, shall the aggregate of the payments made by it to the Company be reduced under this Clause 5 (b) by more than ten per cent. (10 %), (that is seventy per cent. (70 %) of the average annual payment during the period) by reason of the Commission being prevented from receiving the said power.

5. (c) The Company shall have the right at reasonable times and when possible after due notice has been given to the Commission to discontinue or reduce to the extent necessary the supply of power to the Commission for the purpose of safeguarding life or property, or for the purpose of making repairs, renewals or replacements to the generating, transforming or transmitting equipment of the Company, but all such interruptions, total or partial, shall be of a minimum duration, and, when possible, arranged for at a time least objectionable to the Commission.

During such interruptions, the Commission shall be released from its obligations to pay for such power as the Commission is entitled to receive and the Company fails to deliver or to hold available for the Commission.

6. One or more representatives or engineers of the Commission designated for this purpose, may, at any reasonable time, during the continuance of this Agreement, have access to the premises of the Company for the purpose of inspecting the premises, apparatus, plants, property and electrical and hydraulic records of the Company pertaining to the power developments at which the power supplied under this Agreement is generated, and to take and obtain records therefrom as required. Representatives of the Company shall have similar rights in respect of the premises, apparatus, plants, property and electrical and hydraulic records of the Commission pertaining to the power supplied under this Agreement.

7. If any disputes arise between the parties hereto relative to the fulfilment of any of the terms, provisos or conditions of this Agreement, or as to the method or accuracy of the measurement of power or any other question which may arise under this Agreement, the same shall be promptly referred to arbitration under the Arbitration Act of the Province of Ontario, and shall be determined under the present laws of the Province of Ontario and when possible in a summary manner. The findings of the Arbitrator or Arbitrators shall be final and binding upon both parties hereto, except that either party may appeal from an award of the arbitrators as provided in the said Arbitration Act, and that the

right of appeal to the Supreme Court of Canada and to the Privy Council shall not be limited.

The Commission may pursue any or all of its remedies either concurrently or in the alternative and may treat as cumulative any or all of its remedies hereunder. The Commission may waive any default under this Agreement but such waiver shall be limited to the particular instance and shall not affect the Commission's rights under this contract.

Any failure by the Company to deliver or have available the full amount of electrical energy to which the Commission is entitled hereunder, all in the manner and under the conditions herein specified, shall be adjusted as herein provided, including the provisions for arbitration herein contained, and shall not in any event be cause for cancellation of this Agreement.

8. In case of the failure of the Company in any week to have available as set forth in Clauses 1 and 2 the full amount of electrical power or energy to which the Commission is entitled hereunder in such week, there shall be a proportionate reduction in the sums payable by the Commission to the Company for such week; that is, the amount accrued due from the Commission to the Company during such week shall be reduced by a sum having the same ratio to such accrued amount as the number of kilowatt hours which the Company fails to have available as aforesaid bears to eighty-eight (88) times the then contract demand; and in addition if such failure of the Company is due to causes within its control (deficiency of stream flow or any of the matters in Clause 5 (b) shall in no way be deemed to be within the control of the Company nor shall interruptions under Clause 5 (c) be deemed within the control of the Company, but financial difficulties are to be considered within the control of the Company), the Company shall pay to the Commission, as liquidated damages, a sum equal until October 1st, 1943, to fifty per cent. (50 %) of the reduction so made in the sums payable by the Commission to the Company; thereafter, to one hundred per cent. (100 %).

9. This Agreement shall be binding upon both parties hereto upon its execution and shall continue in force for a period of thirty years, which period shall begin on the day and date when power is first taken hereunder.

10. The Commission shall be entitled at the termination of this Agreement, or within thirty days thereafter, to remove from the Company's premises any and all plant or equipment which may have been installed by the Commission for the supply or measurement of power hereunder.

11. The Commission agrees to observe strictly all Quebec and other laws affecting the exportation, outside of Canada, of the electric power or energy supplied by the Company to the Commission under this Agreement.

12. All written notices which are required to be sent hereunder by either party to the other shall be sent by registered letter to such address, or addresses, as each party may, from time to time, file with the other. The parties agree each to maintain its address on file with the other.

In witness whereof the parties hereto have caused this Agreement to be executed under their corporate seals and the hands of their duly authorized officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

(Sgd.) C. A. MAGRATH,	(Seal)
Chairman.	Hydro-Electric
(Sgd.) W. W. Pope,	Power Commission
Secretary.	of Ontario.

GATINEAU POWER COMPANY.

(Sgd.) A. R. GRAUSTEIN,	(Seal)
President.	Gatineau Power
(Sgd.) F. G. SIMONS,	Company.
Secretary.	Incorporated 1926.

Checked

260519 (Sgd.) W. G. HANNA.

2

SUPPLEMENTARY AGREEMENT

To Indenture dated May 19th, 1926.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO

—and—

GATINEAU POWER COMPANY, hereinafter called the
"Principal Agreement."

The Company shall not be liable for any partial or total failure to deliver electrical power or energy under the Principal Agreement which is due to the act of the Province of Quebec.

In witness whereof the Parties hereto have caused this Agreement to be executed under their corporate seals and the hands of their duly authorized officers.

(Sgd.) C. A. MAGRATH,	(Seal)
<i>Chairman.</i>	Hydro-Electric
	Power Commission
(Sgd.) W. W. POPE,	of Ontario.
<i>Secretary.</i>	

GATINEAU POWER COMPANY.

(Sgd.) A. R. GRAUSTEIN,	(Seal)
<i>President.</i>	Gatineau Power
(Sgd.) F. G. SIMONS,	Company.
<i>Secretary.</i>	Incorporated 1926.

3

SUPPLEMENTARY AGREEMENT

To Indenture dated "May 19th," 1926.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO

—and—

GATINEAU POWER COMPANY.

The Company shall not be obligated to install apparatus for a maximum voltage higher than that available from apparatus which the manufacturers are willing to build and recommend for use on a 220,000 volt system and in connection with standard 220,000 volt switching and auxiliary equipment, or higher than the Commission provides for in its portion of the 220,000 volt system.

In witness whereof the parties hereto have caused this Agreement⁷ to be executed under their corporate seals and the hands of their authorized officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

(Sgd.) C. A. MAGRATH,	(Seal)
<i>Chairman.</i>	Hydro-Electric
(Sgd.) W. W. POPE,	Power Commission
<i>Secretary.</i>	of Ontario.

GATINEAU POWER COMPANY.

(Sgd.) A. R. GRAUSTEIN,	(Seal)
<i>President.</i>	Gatineau Power
(Sgd.) F. G. SIMONS,	Company.
<i>Secretary.</i>	Incorporated 1926

4

SUPPLEMENTARY AGREEMENT

To Indenture dated "May 19th," 1926.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,

—and—

GATINEAU POWER COMPANY, hereinafter called the
"Principal Agreement."

The Company may on or before August 1, 1926, notify the Commission that due to its inability theretofore to obtain certain specified and necessary rights, permits, licenses or franchises or to consummate the purchase of the Pagan water power, it is unable to proceed further with the Principal Agreement, unless the Commission will agree that the Company shall not be liable for any partial or total failure to deliver electrical power or energy under the Principal Agreement, which is due to the inability of the Company to obtain the necessary rights, permits, licenses and franchises so specified which it shall not have obtained, or to the inability of the Company to consummate its purchase of Pagan. Thereupon and within fifteen days thereafter the Commission shall notify the Company whether the Commission is willing to make such Agreement. If the Commission is unwilling to make such Agreement, the Principal Agreement shall be at an end and neither party shall be liable to the other. If the Commission does make such Agreement, and the Company thereafter makes a partial failure to deliver electrical power or energy, as herein provided, and such partial failure is of a permanent nature, a corresponding reduction shall be made in the contract demand.

The Commission agrees that it will promptly join with the Company in an application for the Ottawa River crossing in the neighbourhood of Chats Falls, and will prepare and have ready an application for this purpose together with all necessary accompanying plans on or before May 20, 1926. In case such plans shall be delayed beyond May 20, the date of August 1, shall be correspondingly postponed.

In witness whereof the parties hereto have caused this Agreement to be executed under their corporate seals and the hands of their duly authorized officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

(Sgd.) C. A. MAGRATH,	(Seal)
<i>Chairman.</i>	Hydro-Electric
	Power Commission
(Sgd.) W. W. POPE,	of Ontario.
<i>Secretary.</i>	

GATINEAU POWER COMPANY.

(Sgd.) A. R. GRAUSTEIN,	(Seal)
<i>President.</i>	Gatineau Power
	Company.
(Sgd.) F. G. SIMONS,	Incorporated 1926.
<i>Secretary.</i>	

5

SUPPLEMENTARY AGREEMENT

To Indenture dated "May 19th," 1926.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,

—and—

GATINEAU POWER COMPANY, hereinafter called the
"Principal Agreement."

The rates to be paid and payments to be made by the Commission, as set out in sub-clause (a) of Clause 3 of the Principal Agreement, shall, subject to the provisions of this supplementary agreement include all compensation to the Company for all taxes, rentals, licenses, fees and charges that may be levied, assessed or imposed by Dominion, Provincial or Municipal or any other authority for or during the term of this Agreement, or any part thereof. If, however, while the Principal Agreement shall continue in force (1) any Dominion or Provincial taxes or charges not now in existence should be created, or any now existing be increased, or (2) the rentals or royalties which are payable as now specified under the lease from the Crown of the Pagan water power generating the electrical energy supplied to the Commission hereunder shall be increased in such manner as to increase the cost to the Company in respect of these items of the electrical power or energy kept available for and delivered to the Commission under the Principal Agreement, then in each and any such case, an increase shall be made in the payments by the Commission to the Company hereunder which shall after crediting any reductions in any of such items exactly compensate the company for the increase thereby occasioned in the cost to the Company of the electrical power or energy kept available for and delivered to the Commission under the Principal Agreement.

The recently authorized Quebec tax not yet promulgated is not considered as now in existence.

In witness whereof the parties hereto have caused this Agreement to be executed under their corporate seals and the hands of their duly authorized officers.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

(Sgd.) C. A. MAGRATH,	(Seal)
<i>Chairman.</i>	Hydro-Electric
	Power Commission
(Sgd.) W. W. POPE,	of Ontario.
<i>Secretary.</i>	

GATINEAU POWER COMPANY.

(Sgd.) A. R. GRAUSTEIN,	(Seal)
<i>President.</i>	Gatineau Power
	Company.
(Sgd.) F. G. SIMONS,	Incorporated 1926.
<i>Secretary.</i>	

6

SUPPLEMENTARY AGREEMENT

To Indenture dated May 19, 1926.

BETWEEN:

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO

—and—

GATINEAU POWER COMPANY (hereinafter called the
"Principal Agreement").

1. The place of delivery of the power and energy shall instead of being at the boundary between the Provinces of Ontario and Quebec at or near Chats Falls as mentioned in one of the recitals in the Principal Agreement and required by Clause 4 (c) of the Principal Agreement, be a point in the Province of Ontario ten feet distant from the boundary between the Provinces of Ontario and Quebec at or near Chats Falls.

2. It is understood and agreed between the parties hereto that the said change in place of delivery shall not subject the Company to the burden of taxes, fees or other charges levied, assessed or imposed in respect of the electrical power or energy sold and delivered under the Principal Agreement and supplementary agreements as hereinafter provided by or under the authority of the Province of Ontario or any taxing authority thereof or therein; and notwithstanding any provision of the Principal Agreement or of the agreement supplementary thereto between the parties (hereinafter mentioned) relating to the rates to be paid and payments to be made by the Commission and the inclusion therein of compensation to the Company for taxes, rentals, licenses, fees, and charges of Dominion, Provincial or municipal or other authorities, the Commission will indemnify the Company against and reimburse the Company for any and all taxes, fees and other charges which may at any time be levied, assessed or imposed by the Province of Ontario or any authority thereof or thereunder, including any municipality therein, in respect of the ownership, operation, maintenance or use of the ten feet of transmission lines in Ontario, or in respect of the transmission, sale or delivery of power or energy under the Principal Agreement and supplementary agreements or in respect of the gross or net income derived therefrom, whether any such tax, fee or other charge is levied, assessed or imposed upon the Company itself or its property, or upon the owner of such ten feet of transmission lines (if the same is not owned by the Company) or upon the property of such owner.

3. The Principal Agreement and the four supplementary agreements for the following purposes:

- (1) Agreement in reference to the Company's ability to obtain certain rights and franchises to permit it to make delivery of power to the Commission, and in default of it being able to do so before August 1st, 1926, making certain provisions for cancellation of the Principal Agreement;
- (2) Agreement with reference to additional or increased Dominion or Provincial taxes and charges, providing that the Commission must pay the same;
- (3) Agreement relieving the Company from liability for failure to deliver power under the Principal Agreement due to any Act of the Province of Quebec;
- (4) Agreement relieving the Company from installation of apparatus of maximum voltage higher than that which the manufacturers are willing to recommend;

Together with this Supplementary Agreement, are hereby entered into as of the 19th day of May, 1926, and all the covenants, terms and conditions set out in the Principal Agreement and the aforesaid five supplementary agreements are hereby agreed to by the parties hereto as of the 19th day of May, 1926.

In witness whereof the parties hereto have caused this Agreement to be executed under their corporate seals and the hands of their duly authorized officers this 27th day of July, 1926.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

(Sgd.) C. A. MAGRATH,
Chairman.

(Seal)

(Sgd.) W. W. POPE,
Secretary.

Hydro-Electric
Power Commission
of Ontario.

GATINEAU POWER COMPANY.

(Sgd.) A. R. GRAUSTEIN,
President.

(Seal)

(Sgd.) F. G. SIMONS,
Secretary.

Gatineau Power
Company
Incorporated 1926.

SCHEDULE "B"

BETWEEN:

THE ONTARIO HYDRO-ELECTRIC POWER COMMISSION

—AND THE—

GATINEAU POWER COMPANY

1. AGREEMENT, AS OF DECEMBER 28TH, 1927.

2. AGREEMENT, AS OF DECEMBER 28TH, 1927.

1

This Indenture dated the 28th day of December, A.D. 1927.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,
hereinafter called "the Commission,"

of the first part

—and—

GATINEAU POWER COMPANY, hereinafter called "the
Company"

of the second part.

Witnesseth That

Whereas the Commission, acting under *The Power Commission Act, 1927*, 17 Geo. V., Chapter 17, and Amendments thereto, is authorized to enter into an Agreement for the purchase of electrical power and energy for the Commission;

And whereas the Company is duly incorporated under laws of the Province of Quebec, and is carrying on business for the production and sale of electrical power and energy;

And whereas the Company is prepared to deliver electrical power and energy from its present and future developments on the Gatineau River and elsewhere in the Province of Quebec to the Commission at the points in Ontario hereinafter provided, and is willing to enter into an Agreement with the Commission for such purposes;

Now therefore this Indenture witnesseth:

That for the consideration herein contained, the parties hereby covenant, promise and agree as follows:

1. The Company agrees:

(a) To keep available for delivery to the Commission and deliver when and as required by the Commission on the conditions herein contained electrical power and energy which shall not be less than the minimum amounts specified in the following schedule during the times therein mentioned namely:

Commencing on the First day of October, 1928, and continuing until increased on the First day of October, 1929, the minimum amount of six thousand horsepower (6,000 H.P.);

Commencing on the First day of October, 1929, and continuing until increased on the First day of October, 1930, the minimum amount of twelve thousand horsepower (12,000 H.P.);

Commencing on the First day of October, 1930, and continuing until increased on the First day of October, 1931, the minimum amount of eighteen thousand horsepower (18,000 H.P.);

Commencing

Commencing on the First day of October, 1931, and continuing until increased on the First day of October, 1932, the minimum amount of twenty-four thousand horsepower (24,000 H.P.);

Commencing on the First day of October, 1932, and continuing until increased on the First day of October, 1933, the minimum amount of thirty thousand horsepower (30,000 H.P.);

Commencing on the First day of October, 1933, and continuing until increased on the First day of October, 1934, the minimum amount of thirty-six thousand horsepower (36,000 H.P.);

Commencing on the First day of October, 1934, and continuing until increased on the First day of October, 1935, the minimum amount of forty-two thousand horsepower (42,000 H.P.);

Commencing on the First day of October, 1935, and continuing until increased on the First day of October, 1936, the minimum amount of forty-eight thousand horsepower (48,000 H.P.);

Commencing on the First day of October, 1936, and continuing until increased on the First day of October, 1937, the minimum amount of fifty-four thousand horsepower (54,000 H.P.);

Commencing on the First day of October, 1937, and continuing so long as this Agreement shall continue in force the minimum amount of sixty thousand horsepower (60,000 H.P.);

Provided that each minimum amount specified in the said schedule shall be the contract demand during the time therein mentioned unless and until increased as provided herein:

1. (b) To keep available for delivery to the Commission and deliver when and as required by the Commission after written notice from the Commission given from time to time prior to the First day of October, 1938, and effective subject to the provisions of Sub-clause (e) of Clause 3 additional electrical power and energy in addition to the then contract demand up to but not exceeding that amount which with the then contract demand will make a total amount of one hundred thousand horsepower (100,000 H.P.) provided that the total amount of electrical power and energy from time to time to be kept available shall be the contract demand; provided that any additional amount or amounts required by the Commission by notice or notices from time to time under this Sub-clause (b) or such portion thereof as the Commission may determine shall be applied at the option of the Commission to be expressed in such notice: (A) to take up and form part of the increases in minimum amounts provided for in Sub-clause (a) of this Clause 1; or (B) to add to the said minimum amounts as a permanent addition thereto and increase of contract demand, in which case the Commission shall be entitled to the increases in minimum amounts provided for under Sub-clause (a) and all the additions under Sub-clause (b) up to but not exceeding the total amount of one hundred thousand horsepower (100,000 H.P.); and provided further that the total amount including the minimum of sixty thousand horsepower (60,000 H.P.) and subject to the above option all electrical power and energy in addition thereto which the Commission shall have ordered by notice as aforesaid prior to the first day of October, 1938, shall constitute the contract demand commencing on the said First day of October, 1938, or so soon thereafter as the same shall be available but in any event not later than the year or two years respectively allowed under Sub-clause (e) of Clause 3 and continuing so long as this Agreement remains in force subject always to any increase which may be made under Sub-clause (a) of Clause 2; One hundred thousand horsepower (100,000 H.P.) or such greater amount as shall have become the contract demand by reason of increase under Sub-clause (a) of Clause 2 shall be the contract demand governing this Agreement; and shall remain unaltered notwithstanding the provisions for ten per cent. (10%) excess in Sub-clause (e) of Clause 2, except as therein provided;

1. (c) To install at its said Gatineau River and other developments sufficient equipment and also transmission lines so as to insure fulfilment at all times of the terms of this Agreement.

1. (d) To provide a storage reservoir, or storage reservoirs on the Gatineau River of at least 82,000,000,000 cubic feet capacity this amount having been determined by the Quebec Streams Commission as the appropriate amount to provide a normal minimum regulated stream flow at Chelsea in excess of 9,000 c.f.s.; to use its best efforts to have such storage administered to the best advantage to facilitate its performance of this Agreement; to deliver the full amount of electrical power and energy called for in the preceding sub-clauses of this clause and Sub-clause (b) of Clause 2 at all times when the stream flow at Chelsea would be at least equal to such normal minimum of 9,000 c.f.s. with a capacity of 82,000,000,000 cubic feet of storage; at all times when with storage capacity provided to the amount of 82,000,000,000 cubic feet as aforesaid the river would not have provided a stream flow at Chelsea of 9,000 c.f.s., the amount of electrical energy to which the Commission is entitled hereunder shall during the period of such deficiency be reduced in the same percentage by which the stream flow available with storage capacity to the amount of 82,000,000,000 cubic feet would have fallen below the said minimum;

Provided that the storage reservoir or reservoirs mentioned in this sub-clause shall be the same and shall not be in addition to the storage reservoir or reservoirs mentioned in the contract between the Company and the Commission dated the 19th day of May, A.D. 1926;

1 (e) If at any time or times, however, the Commission anticipates a deficiency in stream flow below the said normal minimum regulated flow within the ensuing six (6) months' period, it may give to the Company written notice stating and certifying as facts that the Commission anticipates during the ensuing six (6) months such a deficiency in stream flow as would prevent the Company making full deliveries to the Commission throughout that period, that because and only because of such anticipated deficiency and of its desire to regulate its supply during the said period the Commission desires the Company to curtail its deliveries to the Commission at times during such period, specifying the weeks during which the Commission desires such curtailment made, and certifying the number of kilowatt hours which the Commission would require in each such week were it not for such anticipated deficiency, the number of kilowatt hours curtailment which the Commission desires in each such week, and the number of kilowatt hours which the Company is to deliver to the Commission in each such week under such curtailment programme. Such notice shall be delivered to the Company at least one clear week before the first week in which it requires curtailment. The Company shall thereupon reduce as therein required its deliveries to the Commission, and shall not be considered to have held available for the Commission in any week specified in such notice the kilowatt hours of curtailment specified in the notice, and the Commission shall be entitled to a reduction in its payments for such week in the ratio which the kilowatt hours of curtailment bear to full contract deliveries; if at the end of such six months' period it shall appear that there was in fact water available either from storage or precipitation or natural run-off for the supply of all or part of the kilowatt hours of curtailment then to the extent to which there was in fact water available as aforesaid to generate such kilowatt hours of curtailment, the Commission shall promptly make good with interest at six per cent. (6%) per annum the amount by which its payments have been reduced on account of such curtailment.

If the anticipated deficiency in fact occurs the Commission shall at all times during the six months' period specified in such notice be entitled to receive within the requirements imposed by the curtailment notices of the Commission and the provisions of sub-clause (b) of Clause 2 the full amount of the contract power and energy subject to sub-clause (d) of this Clause.

The Commission may at any time vary the curtailment specified in such notice for any week by giving the Company written notice of such modification at least seven days before the beginning of such week;

2. (a) The power delivered hereunder shall be alternating, three-phase, having a periodicity of approximately 60 cycles per second and a pressure between phase wires of approximately one hundred and fourteen thousand (114,000) volts at the Interprovincial boundary at or near Ottawa; the Company shall maintain the generator voltage within 2%

of the generator voltage corresponding to the 114,000 volts at the said Interprovincial boundary; the power delivered hereunder shall be commercially continuous twenty-four hour power every day in the year except as provided herein; the Company shall install suitable and necessary works and equipment for such purposes including two transmission lines of three conductors each from the generating plant or plants of the Company to the points of delivery of a type and capacity approved by the Commission.

The Company at all times shall use its best endeavour to co-operate with the Commission by such means and to the extent it may consider proper to meet the requirements of the Commission in variation of the aforesaid voltage so as to furnish a voltage satisfactory to the Commission; when the maximum contract demand shall have been determined under this agreement the Company shall co-operate with the Commission to the end that power may be furnished to the Commission from a separate group of generating units and/or transforming units independent of (not in parallel with) any other system or from a source or sources of power independent of generating systems other than the generating systems of the Company on the Gatineau and Ottawa Rivers and their tributaries.

If the Commission gives notice in writing to the Company that it requires power to be supplied to it from separate equipment or from a separate group of generating units and/or transforming units as aforesaid and if the Company claims that for such purpose works and equipment are necessary in addition to the works and equipment of the Company then in existence or changes are thereby necessary in the said then existing works and equipment of the Company then the Company within six months of receipt of the said notice from the Commission shall give to the Commission full details of the additional works and equipment and/or changes which it alleges to be necessary together with an itemized statement showing in detail the estimated cost thereof. If upon the receipt of the said details the Commission agree with the proposals and approves of the extent and type of the additional works and equipment and/or changes as proposed by the Company, then the Company shall upon the request of the Commission proceed with the work and when completed the Commission shall pay one-half of the balance of the cost thereof remaining after deducting from the total such amount as may be agreed upon or determined as the salvage value and accrued depreciation on the equipment, plant or part thereof replaced in the then existing plant by reason of the said additional works, equipment and/or changes, but if the Commission and the Company do not agree as to the necessity for or desirability of the extent and type of additional works and equipment and/or changes as proposed by the Company the Commission may nevertheless request the Company to proceed with such additional works, equipment and/or changes, or such part thereof as the Company deems necessary to enable it to meet the requirements of the Commission under the notice as aforesaid, and in such case the Company shall thereafter as speedily as possible proceed with such additional works and equipment and/or changes, and in such case the Commission shall pay to the Company one-half of the balance of the cost thereof (remaining after deducting from the total such amount as may be agreed upon or determined as the salvage value and accrued depreciation of the equipment, plant or part thereof replaced in the then existing plant by reason of the said additional works and equipment and/or changes) as may under the terms of this Agreement be finally determined as having been necessary expenditures by the Company in order to enable it to comply with the said notice in writing as aforesaid.

If in order to furnish power to the Commission from separate equipment or independent sources as aforesaid it is necessary for the Company to allot a unit of equipment or group of units for such service when the normal capacity of the said unit or group together with the other units forming the group is greater than the then contract demand and the Company cannot alter or re-arrange the said unit or group the Company shall have the option (a) of requiring the Commission to increase the contract demand as provided in sub-clause (b) of Clause 1 to any amount up to that amount which shall require all the normal capacity of the said unit or groups with the other units forming the group or (b) of supplying power from the said unit or group both to the Commission

and also to other customers of the Company but not connected to (not in parallel with) other generating units to such an extent that the Commission's contract demand and the other loads will approximately equal the normal capacity of the said unit with the other units forming the group; the change in contract demand contemplated by this sub-clause (a) shall become effective even if thereby the maximum contract demand covering this Agreement as defined in sub-clause (b) of Clause 1 exceeds 100,000 horsepower; the excess of 10 % provided for in sub-clause (e) of Clause 2 shall be over and above the contract demand as hereby changed.

2. (b) The Commission shall be entitled to the contract demand, up to a maximum weekly load factor of seventy per cent. (70 %) thereof and no more; that is to say, that during each calendar week after October 1st, 1928, so long as this Agreement shall remain in force, the Commission shall be entitled, subject, to Clauses 3 (f), 5 (b) and 8, to receive such electrical energy as it shall require, not in excess of eighty-eight (88) kilowatt-hours for each horsepower of contract demand.

On Sundays and holidays, the Commission at the request of the Company, shall take not less than three (3) kilowatt-hours for each horsepower of contract demand. On Saturdays, the Commission, at the request of the Company, shall take not less than seven (7) kilowatt-hours for each horsepower of contract demand.

In the event of an increase in the contract demand occurring other than at the beginning of a calendar week, the Commission shall be entitled to receive the same number of kilowatt-hours for each horsepower of contract demand each day for the remainder of the week as were received for each horsepower of contract demand during the corresponding days of the last preceding week.

2. (c) The maximum amount of electrical power and energy delivered by the Company at any time when the ratio of the kilowatts to the kilovolt amperes is less than eighty-five per cent. (85%) shall be eighty-five per cent. (85%) of the kilovolt amperes considered as true power or kilowatts, subject to the inadvertent taking under Clause 2 (d).

2. (d) It is understood and agreed that in the operation of extensive generation and transmission systems, consisting of several generating plants, in parallel, the control of the power and energy supplied from one system to another and the power factor thereof is to an extent within the control of the operators in the generating plants of the system from which the power and energy is supplied, and, in order to insure satisfactory operation in parallel with the other sources of supply of the Commission, it is agreed that the Company shall co-operate to the fullest extent, so far as normal operation of its Gatineau River generating and transforming systems and their interconnecting transmission systems will permit, with the Commission in controlling the power factor and the amount of power and energy delivered to the Commission by the Company hereunder.

The Commission on its part shall use its best efforts to keep its power demands on the Company's system within the contract demand and to maintain the power factor within the limits defined in Sub-clause (c) of this Clause 2 and will not intentionally permit its power demands to exceed the contract demand or the power factor to fall below 85%.

If by reason of such parallel operation, the Commission shall inadvertently receive electrical power from the Company at a lower power factor than herein provided, or in excess of the amount of the then contract demand, then the Commission shall not be subject to any charge hereunder for such excess taking of power and such excess taking shall not increase the contract demand as herein defined or increase the amount of the payment provided for in Sub-clause (b) of Clause 3 and shall not increase or affect, in any way, any obligation of, or impose any obligation upon the Commission hereunder; excepting that the Company shall forthwith notify the Commission of such excess and thereupon both parties shall exercise all skill and diligence so as to limit to the utmost such excess taking to a minimum amount and to the shortest possible period of time reasonably necessary for the proper adjustment of the load and power factor between the various generating plants;

2. (e) The Commission at any time or times, and otherwise than provided in Clause 2 (d) may, on notice in writing to the Company, take electrical power in excess of the then contract demand up to but not exceeding 10% in excess of the then contract demand; in each month in which any such excess is taken, the amount taken comprising both the then contract demand and such excess shall be deemed to be the contract demand for that month for all purposes under this Agreement; provided that the Commission shall in each year pay to the Company, as a minimum for not less than the equivalent of four months' taking of the said ten per cent. (10%) in excess of contract demand, whether any such excess is taken or not; provided, further, that except for the purposes of this Sub-clause nothing contained in this sub-clause shall affect the provisions of Sub-clauses (a) and (b) of Clause 1.

2. (f) If the Commission shall take in any week more kilowatt hours than it is entitled to take in such week, and the Company shall not in advance of such excess taking have filed with the Commission a protest against the same, then upon notice in writing from the Company, the Commission will adjust the matter by making a corresponding reduction in its takings in the next following week in which its requirements permit it to do so, and the Commission shall not be subject to any charge for such excess taking, or for any delay in making good the same. A protest from the Company for the purpose of this clause must be based upon a prior excess taking by the Commission and may not cover a period beyond the six months next following such excess taking. After receipt of such protest and during the period covered thereby, the Commission shall limit its weekly taking to the number of kilowatt-hours which it is entitled to take hereunder; always provided that the Company, so far as practicable, regulates the rate of delivery of power and the kilowatt-hours from time to time, as the Commission may direct.

2. (g) The Company shall be considered to have held available for the Commission in each week all the power and energy to which the Commission was entitled in that week unless the Company has failed so to do and the Commission complains forthwith of the Company's failure to have the power and energy available as aforesaid and within fourteen (14) days after the end of the week in which the failure occurs the Commission shall have given to the Company written notice of the complaint;

2. (h) The Commission and the Company will co-operate in respect of all matters of common interest, including plant and equipment, design, hydrology and storage, provided that the Commission and the Company shall each have the final decision and be responsible for its respective plants and properties. The Commission and the Company will also co-operate in respect of design and control, protective communication and other such features, as necessitate similar or co-ordinated equipment at the plants of each party. The Commission and the Company shall also install only first-class, modern equipment of such characteristics and type as are best suited for the service intended, and from time to time make such commercially reasonable changes in, or additions to, such equipment (other than major equipment), as will best serve the system as a whole. The Commission and the Company shall exercise all due skill and diligence, so as to secure the satisfactory operation as a system, of the plant, apparatus, and property of both the Commission and the Company.

3. The Commission agrees:

(a) To take from the Company all the electrical power and energy mentioned in Sub-clause (a) of Clause 1 at the times therein provided or at such earlier dates as may be required.

3. (b) To pay to the Company in monthly payments for the then contract demand at the following rates, namely:

- (1) For that part of the contract demand taken by the Commission at Ottawa as hereinafter provided which part shall not be less than approximately 25% of the contract demand at the rate of fifteen dollars (\$15.00) per horsepower per annum;
- (2) For the remainder of the contract demand at the rate of Fourteen Dollars and Seventy Cents (\$14.70) per horsepower per annum delivered as at Smith's Falls;

the said monthly payments shall be subject always to adjustments as in this Agreement provided;

The Commission agrees to make all payments to be made by it under this Agreement in lawful money of Canada or if demanded in gold of the present standard of weight and fineness in Canada, provided that if Canada suspends payment in gold then during the time of such suspension payments shall be made in lawful money of Canada, at such bank as the Company may designate in writing from time to time in the city of Toronto.

3. (c) To pay each said monthly payment to the Company after receipt of a bill therefor which shall be rendered by the Company to the Commission on the Tenth day of each month for the amount owing for the preceding month on or before the Twentieth day of the then current month; and all payments in arrears shall bear interest at the rate of Six per cent. (6%) per annum; provided, further, that if the Commission or the Company be entitled to any adjustment in respect of any such bill such adjustment shall be given effect to in the monthly payment next falling due.

3. (d) At all times to take and use the power and energy in such a manner that the current will be equally taken from the three phases and in no case shall the difference in current between any two phases be greater than five per cent. (5%). If such difference be greater than five per cent. (5%), the Commission, upon instructions from the Company, shall so adjust its load as to comply with these requirements.

3. (e) To give to the Company notice in writing from time to time of all power and energy in excess of the then contract demand which the Commission desires from the Company and is entitled to under this agreement; provided that so long as the contract demand after increase by the said additional power and energy does not exceed sixty thousand horsepower (60,000 H.P.) the Company shall not be obliged to deliver the said additional power and energy until one year after the receipt of such notice if generating equipment in addition to the then existing generating plants or new hydro-electric development is required for the delivery of the said additional power and energy and for the provision of such a reserve as may be necessary for the next ensuing increase in minimum power to be held available under sub-clause (a) of Clause 1 or such lesser period as may be necessary to provide such equipment and/or development; provided further that when the contract demand after increase by the said additional power and energy exceeds sixty thousand horsepower (60,000 H.P.) the Company shall not be obliged to deliver the said additional power and energy until one year after the receipt of said notice if generating equipment in addition to the then generating equipment is required for the delivery of the said additional power and energy nor until two years after the receipt of said notice if new hydro-electric development is required for the delivery of the said additional power and energy or such lesser periods as may be necessary to provide such equipment and/or development.

Within one month after receipt of the said notice from the Commission the Company shall give to the Commission notice in writing stating when the Company will have available and be ready to deliver the power and energy mentioned in the Commission's notice.

If the Company shall give notice to the Commission as hereinbefore provided that the Company requires time to make the same available then the Commission during the interval may obtain the said power elsewhere.

All 60 cycle power purchased by the Commission to meet the Commission's requirements for the Commission's Central Ontario, Rideau, St. Lawrence and Ottawa Systems other than power already contracted for, by or being supplied to the Commission shall be purchased from the Company until the contract demand under this agreement shall have reached 100,000 horsepower or shall have been fixed at a lesser amount on the First day of October, 1938; provided always that if the Company fails to have power available at the times provided and in accordance with the terms of this agreement then the Commission in addition to its other rights hereunder may purchase the said 60 cycle power elsewhere.

The Commission at any time may itself develop power.

3. (f) To give the Company from time to time, such information as it reasonably can regarding its expected requirements in kilowatt-hours from the Company, particularly as to any probable reduction in such requirements for any prospective period of light load. The intent of the parties in this Clause is so far as is possible by reasonable co-operation to provide for the most economic use of the Company's storage waters.

4. (a) The measurement of electrical power and energy under this Agreement shall be made by means of suitable polyphase recording demand meters and integrating kilowatt-hour meters, so arranged as to measure and record accurately the said power and energy.

4. (b) The weekly taking of energy shall be determined from the weekly readings of the said kilowatt-hour meters. The power delivered under this Agreement shall be that recorded by the above-mentioned polyphase recording demand meters and the demand shall be the greatest integrated demand for any twenty (20) consecutive minutes as determined from coincident readings of the meters used in the measurement of this power.

4. (c) The power and energy covered by this Agreement shall be kept available for delivery to the Commission and shall be delivered at two points of delivery in the Province of Ontario, namely, at the Western boundary of the City of Ottawa; and at the Northern boundary of the Town of Smiths Falls.

4. (d) The point of measurement for the power and energy supplied under this Agreement shall be at the generating plant or plants of the Company and/or at, or near the points of delivery by meters provided, installed and maintained by the Company.

Whenever the said measuring instruments are connected at other than the points of delivery, their readings shall be subject to a correction and shall be corrected to give readings such as would be obtained by instruments connected at the points of delivery; such correction shall be based, as far as possible, on actual tests made on the apparatus concerned, or on calculations, based on a certified test data to be in accordance with the standard rules of the American Institute of Electrical Engineers.

Readings from the said kilowatt-hour meters shall be taken daily at the same hour and recorded on forms provided by the owner of the meters. Records from the said kilowatt-hour meters and the said recording demand meters shall be dated and forwarded promptly by the owner of the meters to the other party and such records shall be finally forwarded to the Commission and filed with the Commission, to be available for inspection of both parties at all reasonable times.

The Company will provide and maintain a suitable communication system between its plants and the points of delivery.

4. (e) Access to said instruments, transformers and other measuring equipment of either party shall be free to the other party at any and all times, and either party may test any such measuring equipment of the other party at any reasonable time in the presence of a Representative of the other party by giving to the other party seven (7) days' previous notice in writing of its desire to test such measuring equipment;

4. (f) The owner of the measuring instruments agrees to test each meter installed by it to measure the electrical power and energy contracted for hereunder, at least once in each sixty (60) days. The other party hereto shall be advised at least five (5) days before the day of the test, so it may, if it so desire, have a representative present to witness and verify such test. At any time, the Commission notifies the Company that it believes that such meters, or any of them, are not within the closest practicable agreement with perfect accuracy, said meter or meters shall be jointly tested within five (5) days from the receipt by the Company of the said notice. If any meter shall be found on regular or special test, to be inaccurate, it shall be properly adjusted and the record of its readings taken since the last prior test and all bills affected shall be corrected.

The Company shall repair or replace and retest defective meters or measuring equipment within a reasonable time. During any time there is no meter in service, it shall be assumed that the energy consumed is the same as for other days of the same month on which a similar load existed.

4. (g) The Commission may, from time to time at its option install duplicate measuring equipment including necessary current and potential transformers at the points of measurement for the purpose of checking the records obtained from the Company's measuring equipment or for any other purpose.

4. (h) Each party shall be responsible for any damage to property or apparatus furnished by the other party for the purpose of supplying or measuring power hereunder and installed on its property, providing such damage originates from a source external to said apparatus of the other party and is not due to defects in the apparatus of the other party.

4. (i) The kilowatts, kilovolt-amperes, kilowatt hours, or any other factors or quantities shall be determined directly or indirectly from the measuring equipment provided for in this Clause 4, and the University of Toronto electrical standards shall be used as the final reference as to the accuracy of the measuring equipment.

5. (a) The maintenance by the Company of approximately the agreed voltage, at approximately the agreed frequency, as herein provided, together with the ability of the Company to meet the requirements of the Commission under this Agreement shall constitute the delivery of power involved in this Agreement, provided, however, that the provision in Clause 2 (a) as to 2% regulation of voltage shall apply only at the points of generation.

5. (b) In case the Company shall, at any time or times, be prevented from delivering, or the Commission from receiving the said power, or any part thereof, by strikes, lock-outs, riots, fire, invasion, explosion, hurricane, flood, act of God or the King's enemies, then to the extent of such prevention, the Company shall not be bound to deliver and the Commission shall not be bound to pay for such power during such time.

Each party shall be prompt and diligent in removing the cause of such interruption (and to this end shall in advance of any such interruption provide reasonable reserve of spare parts and apparatus), and as soon as the cause of such interruption is removed, the Company shall, without any delay, deliver said power as aforesaid and the Commission shall pay for the same.

5. (c) The Company shall have the right at reasonable times and when possible after due notice has been given to the Commission to discontinue or reduce to the extent necessary the supply of power to the Commission for the purpose of safeguarding life or property, or for the purpose of making repairs, renewals or replacements to the generating, transforming or transmitting equipment of the Company, but all such interruptions, total or partial, shall be of a minimum duration, and, when possible, arranged for at a time least objectionable to the Commission.

During such interruptions, the Commission shall be released from its obligations to pay for such power as the Commission is entitled to receive and the Company fails to deliver or to hold available for the Commission.

6. One or more representatives or engineers of the Commission designated for this purpose, may, at any reasonable time, during the continuance of this Agreement, have access to the premises of the Company for the purpose of inspecting the premises, apparatus, plants, property and electrical and hydraulic records of the Company pertaining to the power developments at which the power supplied under this agreement is generated, and to take and obtain records therefrom as required. Representatives of the Company shall have similar rights in respect of the premises, apparatus, plants, property and electrical and hydraulic records of the Commission pertaining to the power supplied under this Agreement.

7. If any dispute arise between the parties hereto relative to the fulfillment of any of the terms, provisos or conditions of this Agreement or as

to the method or accuracy of the measurement of power, or any other question which may arise under this Agreement, the same shall be referred to arbitration under the present Arbitration Act of the Province of Ontario, R.S.O. 1914, Chapter 65, and shall be determined under the laws of the Province of Ontario and the findings of the said arbitrator or arbitrators shall be final and binding on both parties hereto except that either party may appeal from an award of the arbitrators as provided in the said Arbitration Act, and that the right of appeal to the Supreme Court of Canada and to the Privy Council shall not be limited.

8. In case of failure of the Company to have available in any week the full amount of electrical energy (kilowatt-hours) to which the Commission is entitled in such week there shall be a proportionate reduction in the sums payable by the Commission to the Company at the end of the month in respect of such week, that is the amount accrued due from the Commission to the Company during such week shall be reduced by a sum having the same ratio to such accrued amount as the number of kilowatt-hours which the Company fails to have available bears to eighty-eight (88) times the then contract demand in horsepower.

In case of the failure of the Company during any period to have available the full amount of electrical power (horsepower) to which the Commission is entitled hereunder, there shall be a proportionate reduction in the sum payable by the Commission to the Company for such period, that is, the amount accrued due from the Commission to the Company during such period shall be reduced by a sum having the same ratio to such accrued amount as the average number of horsepower of electrical power which the Company fails to have available during such period bears to the then contract demand in horsepower; no reduction shall, however, be made in respect of inadvertent failure of less than an aggregate of twenty minutes in any one week; provided that if during the week including such period the load factor of the electrical energy delivered to the Commission exceeds seventy per cent. (70%) of the contract demand as reduced by such average number of horsepower of electrical power which the Company fails to have available throughout such week the Commission shall credit on the reduction a rateable payment for the excess kilowatt hours.

Provided further that in respect of any one week the Commission shall be entitled to only one reduction in the amount owing for such week, such reduction being either in respect of energy or in respect of power whichever reduction shall be greater.

In addition if any such failure of the Company be due to causes within its control (deficiency of stream flow or any interruption mentioned in Sub-clauses (b) and (c) of Clause 5 shall not be deemed to be within the control of the Company) the Company shall pay to the Commission as liquidated damages agreed and fixed upon beforehand a sum of money equal to one hundred per cent. (100%) of the reduction so made in the sums payable by the Commission to the Company.

If in any period of twelve months while this Agreement remains in force the Company fails for a total of twenty-six weeks to have available the full amount of electrical power and energy which is necessary to perform the Company's obligation under this contract then notwithstanding anything in this Agreement the Commission at its option, by notice in writing to the Company given not later than three months after termination of such period, may to the extent of the deficiency reduce the said contract demand and purchase electrical power and energy elsewhere.

In case any of the works of the Company are wholly or partly destroyed and rendered unfit for service so as to prevent the Company from fulfilling its obligations under this contract, or so as to materially interfere with the Company in fulfilling its obligations, and such conditions shall exist for a period of six months without the Company taking such steps as the Commission consider satisfactory to remedy the same, the Commission may, in case the disability is total, cancel this Agreement, or in case such disability is only partial, reduce the contract demand to the delivery of the amount of power which, in the opinion of the Commission, the Company is capable of delivering under the circumstances.

9. The Commission may pursue any or all of its remedies either concurrently or in the alternative and may treat as cumulative any or all

of its remedies hereunder. The Commission may waive any default under this Agreement but such waiver shall be limited to the particular instance and shall not affect the Commission's rights under this Agreement.

10. This Agreement shall be binding upon both parties hereto, upon its execution and shall continue in force for a period of forty years from the First day of October, 1928, and shall end on the Thirtieth day of September, 1968.

11. Each party shall be entitled at any time prior to thirty days after written notice given by the other party after the termination of this Agreement, to remove from the premises of the other party any and all plant, apparatus and equipment which may have been installed by it for the supply or measurement of power hereunder.

12. The Commission agrees to observe strictly, all Quebec and other laws affecting the exportation outside of Canada of the electrical power and energy supplied by the Company to the Commission under this Agreement.

13. The rates to be paid and payments to be made by the Commission, as set out in sub-clause (b) of Clause 3, shall, subject to the provisions of this Agreement include all compensation to the Company for all taxes, rentals, licenses, fees and charges that may be levied, assessed or imposed by Dominion, Provincial or Municipal or any other authority for or during the term of this Agreement, or any part thereof. If, however, while this Agreement shall continue in force (1) any Dominion or Provincial taxes or charges not now in existence should be created, or any now existing be increased, or (2) the rentals or royalties which are payable, be increased in such manner as to increase the cost to the Company by reason of these items of the electrical power and energy kept available for and delivered to the Commission under this Agreement, then in each and any such case, an increase shall be made in the payments by the Commission to the Company hereunder which shall after crediting any reduction in any of such items exactly compensate the Company for the increase thereby occasioned in the cost to the Company of the electrical power and energy kept available for and delivered to the Commission under this Agreement; provided that Workmen's Compensation and any rates or charges in respect thereof shall not be deemed a tax for the purposes of this Clause and the liabilities and obligations of the Commission shall not be in any way increased thereby but the same shall be borne by the Company.

The recently authorized educational tax of the Province of Quebec not yet promulgated is not considered as now in existence.

14. The transmission lines and equipment in Ontario constructed or used by the Company for the purpose of delivering electrical energy under this Agreement shall be used solely for the said purpose and no electrical power or energy shall be transmitted or sold by means of the said lines and equipment except to the Commission.

15. All written notices which are required to be sent hereunder by either party to the other shall be sent by registered letter to such address, or addresses, as each party may, from time to time, file with the other. The parties agree each to maintain its address on file with the other.

In witness whereof the parties hereto have caused this Agreement to be executed under their corporate seals and the hands of their duly authorized officers,

I.B.L.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

Approved:
GEO. H. KILMER.
G. T. CLARKSON.
F. A. GABY.

(Sgd.) C. A. MAGRATH,
Chairman. Corporate Seal of
the Commission.

(Sgd.) W. W. POPE,
Secretary.

GATINEAU POWER COMPANY.
(Sgd.) A. R. GRAUSTEIN,
President.

(Sgd.) F. C. SIMONS,
Secretary.

2

This Indenture dated the 28th day of December, A.D. 1927.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,
hereinafter called "the Commission,"

of the First Part;

—and—

GATINEAU POWER COMPANY, hereinafter called "the
Company,"

of the Second Part.

Whereas by an Agreement bearing date the 28th day of December, A.D. 1927 (hereinafter called the "contract") the Company agreed to deliver to the Commission, electrical power and energy for the price and on the terms therein set forth, and it has been agreed between the parties to vary certain provisions of the said Agreement and to add certain provisions thereto as hereinafter set forth.

Now it is hereby agreed:—

1. That the point of delivery of the electrical power and energy which the Company by the said contract agrees to deliver to the Commission shall be at a point on the interprovincial boundary between the Provinces of Ontario and Quebec between Remic Rapids and Lake Deschenes.

2. That the price or rate to be paid by the Commission to the Company for all electrical power and energy delivered to the Commission thereunder shall be according to the following schedule:

\$14.55 per horsepower per annum until such time as the contract demand (not including the excess power under sub-clause (e) of Clause 2 of the said agreement reaches Eighty thousand horsepower (80,000 H.P.).

\$14.50 per horsepower per annum from the time when such contract demand (not including the excess power under sub-clause (e) of Clause 2 of the said agreement) reaches Eighty thousand horsepower (80,000 H.P.) until it reaches one hundred thousand horsepower (100,000 H.P.).

\$14.45 per horsepower per annum from the time the contract demand (not including the excess power under sub-clause (e) of Clause 2 of the said agreement) reaches one hundred thousand horsepower (100,000 H.P.) to the end of the contract.

In addition thereto the Commission shall pay to the Company Thirty cents (30c) per horsepower per annum for all of the said electrical power or energy taken by the Commission at or near the Western boundary of the City of Ottawa, in the County of Carleton; Further, the Commission agrees that it will take at or near the Western boundary of the City of Ottawa not less than twenty-five per cent. (25%) of the contract demand under the said contract, and to the extent that the power and energy taken by the Commission at or near the Western boundary of the said City of Ottawa shall be less than twenty-five per cent. (25%) of the contract demand the Commission shall pay to the Company thirty cents (30c) per horsepower per annum on the amount of such deficiency. The rates hereby fixed are in lieu of the rates provided to be paid in and by the said contract and constitute an exact and agreed equivalent of the said rates having regard to the variation in the said contract hereby made.

3. The power and energy delivered under the said contract as hereby varied shall be measured as at the said interprovincial boundary.

4. The Company shall pay to the Commission the sum of Thirty Thousand Dollars (\$30,000.00) per annum payable monthly during the period of five years from the 1st day of October, 1928, or until the construction by the Commission of a second circuit or transmission line for the transmission of the said power and energy by the Commission within the Province of Ontario, whichever shall be the later date, and thereafter shall pay to the Commission the sum of Sixty Thousand Dollars (\$60,000.00) per annum payable monthly during the remainder of the period of forty years from the 1st day of October, 1928, mentioned in the said contract; such monthly payments shall be made on the 20th day of each month commencing with the 20th day of November, 1928, and the last payment on the 20th day of October, 1968; And the Company shall be relieved of all obligations under the said contract for the construction, maintenance and operation of transmission lines and communication systems within the Province of Ontario under the said contract. The Commission shall complete the first circuit or transmission line on or before the 1st day of October, 1928.

5. In case the Commission shall desire to renew the said contract as hereby amended and shall give to the Company notice of intention to renew the said contract at least five years prior to the 1st day of October, 1968, and shall pay to the Company the sum of Five Thousand Dollars (\$5,000), the Company shall renew the said contract upon the same terms as provided in the said contract as amended hereby (except as hereinafter provided and) except as to rates for power for such period or periods not exceeding forty years in all as the Company may at the time of such notice or at any time or times thereafter be entitled to generate electric power and energy from the power developments from which the power and energy shall have been supplied under the said contract; said rates for power and energy shall unless the parties agree be determined by arbitration in the same manner as is provided by the said contract for the determination of disputes thereunder.

The said contract if renewed shall not include any obligation upon the Company to pay any sums whatever as provided in paragraph 4 hereof.

6. The Company shall with this Agreement deliver to the Commission the undertaking of the Canadian Hydro Electric Corporation, Limited, for the due performance of this Agreement and the said contract by the Company which undertaking shall be in the following form:

Hydro-Electric Power Commission of Ontario,
190 University Avenue,
Toronto, Ontario.

Dear Sirs:

We hand you herewith an agreement between you and Gatineau Power Company and supplementary agreement.

1. Gatineau Power Company will perform its obligation under the said agreements and in default thereof we will perform the obligations under the said agreements; provided that you and Gatineau Power Company may alter and vary the terms of the said agreements, or dispense with one or more of them, and that you may in your discretion at any time or times take and receive from Gatineau Power Company any security whatsoever and grant any extension of time thereon or on any liability of Gatineau Power Company; and provided further that neither we nor Gatineau Power Company shall be released from any liability hereunder, or any such liability in any way affected by any such alteration or variation in or dispensing with any of the said agreements, or by such taking or receiving of security, or extension of time, or by any dealing or transaction or forbearance which may take place between you and Gatineau Power Company; and you shall not be required to give us any notice thereof or of any default by Gatineau Power Company.

2. We will substitute a more formal guarantee for this guarantee if you so request.

It is understood that our liability hereunder will terminate and you will give us a formal discharge hereunder whenever the ability of Gatineau Power Company to discharge its obligations under the said agreements has

been

been demonstrated to your satisfaction or the fulfilment of the agreements by the Company has been otherwise secured or guaranteed to your satisfaction.

Yours very truly,

CANADIAN HYDRO ELECTRIC CORPORATION, LIMITED

.....
President.

.....
Secretary.

Accepted and agreed to.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO

.....
Chairman.

.....
Secretary.

7. The Company shall not be liable for any partial or total failure to deliver electrical power or energy under the said contract as hereby amended which is wholly due to the act of the Province of Quebec.

In witness whereof, the parties hereto have caused this Agreement to be executed under their corporate seals and the hands of their duly authorized officers.

"I.B.L."

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

"C. A. MAGRATH,"
Chairman.

Corporate Seal
of Commission.

"W. W. POPE,"
Secretary.

GATINEAU POWER COMPANY.

"A. R. GRAUSTEIN,"
President.

Corporate Seal
of Company.

"F. G. SIMONS,"
Secretary.

"Approved

"GEO. H. KILMER"

"G. T. CLARKSON"

"F. A. GABY"

"G.G.G."

"J.L.M. (6 sheets)"

"Approved

"G.T."

SCHEDULE "C"

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION

—AND THE—

BEAUHARNOIS LIGHT, HEAT AND POWER COMPANY

1. AGREEMENT, AS OF 29TH OF NOVEMBER, 1929.

1

This Indenture made in duplicate this twenty-ninth day of November, A.D. 1929.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,
hereinafter called the "Commission,"

Of the First Part;

—and—

BEAUHARNOIS LIGHT, HEAT AND POWER COMPANY,
a Quebec Corporation, hereinafter called the "Company,"

Of the Second Part.

Whereas the Commission, acting under *The Power Commission Act*, R.S.O. 1927, Chapter 57, and Amendments thereto, is authorized to enter into an Agreement for a supply of electrical power and energy to the Commission;

And whereas the Company is duly incorporated by Statutes of the Legislature of the Province of Quebec, for the purpose of the production and sale of electrical power and energy and is prepared to sell and deliver electrical power and energy to the Commission;

Now therefore this Indenture witnesseth that for the considerations herein contained, the Parties hereto covenant, promise and agree as follows:

1. The Company Agrees:—

(a) To keep available for delivery to the Commission and deliver to the Commission, when and as required by the Commission, commencing on the First day of October, 1932, and thereafter so long as this Agreement shall continue in force, Thirty-five Thousand Horsepower (35,000 H.P.) of electrical power and energy on the conditions herein contained; Thirty-five Thousand Horsepower (35,000 H.P.) shall be the contract demand until such contract demand is increased, as provided in sub-clause (b) next following:

1. (b) To keep available for delivery to the Commission and deliver to the Commission, when and as required by the Commission, commencing on the First day of October, 1933, and thereafter so long as this Agreement shall continue in force, an additional Forty Thousand Horsepower (40,000 H.P.) of electrical power and energy on the conditions herein contained, making a total contract demand of Seventy-five Thousand Horsepower (75,000 H.P.) until such contract demand is increased, as provided in sub-clause (c) next following:

1. (c) To keep available for delivery to the Commission and deliver to the Commission, when and as required by the Commission, commencing on the First day of October, 1934, and thereafter so long as this Agreement shall continue in force, an additional Fifty-four Thousand Horsepower (54,000 H.P.) of electrical power and energy on the conditions herein contained, making a total contract demand of One Hundred and Twenty-nine Thousand Horsepower (129,000 H.P.) until such contract demand is increased, as provided in sub-clause (d) next following:

1. (d) To keep available for delivery to the Commission and deliver to the Commission, when and as required by the Commission, commencing on the First day of October, 1935, and thereafter so long as this Agreement shall continue in force, an additional Sixty-seven Thousand Horsepower (67,000 H.P.) of electrical power and energy on the conditions herein contained, making a total contract demand of One Hundred and ninety-six Thousand Horsepower (196,000 H.P.) until such contract demand is increased as provided in sub-clause (e) next following:

1. (e) To keep available for delivery to the Commission and deliver to the Commission, when and as required by the Commission, commencing on the First day of October, 1936, and thereafter so long as this Agreement shall continue in force, an additional Fifty-four Thousand Horsepower (54,000 H.P.) of electrical power and energy on the conditions herein contained, making a total contract demand of Two Hundred and Fifty Thousand Horsepower (250,000 H.P.), which shall constitute the maximum contract demand under this Agreement.

1. (f) In the event of the diversion of water by the Company being measured not by maximum, but by daily average, or otherwise, then to deliver to the Commission, whenever required by the Commission, subject to Clause 2 and Clause 5, electrical power to the extent that such average or other method of measurement will permit, but only pro rata to the total power developed by the Company at Beauharnois Station up to a maximum of Fifteen per cent (15%) over the then contract demand without increasing the then contract demand, or without increasing the obligation of the Company to install spare equipment specified in Clause 1 (g), or any obligation of the Commission to pay under this Agreement.

1. (g) To install at its Beauharnois Power Development, sufficient equipment and spare equipment to insure fulfilment at all times of the terms of this Agreement, and for this purpose the Company shall provide excess or spare capacity, so that at all times the ratio of total capacity to contract demand shall be not less than One Hundred and Fifteen per cent. (115%).

2. (a) The power and energy delivered hereunder shall be alternating, three-phase, having a controlled average periodicity of twenty-five (25) cycles per second, and a pressure between phase wires not exceeding the commercial maximum voltage of approximately Two Hundred and Forty Thousand Volts (240,000 V.) subject to a reduction from time to time as the Commission may direct of not over Fifteen per cent. (15%) from the determined maximum voltage, and the equipment and apparatus installed by the Company in its Plants shall be suitable for operation to maintain this condition; the Company shall maintain under normal operating conditions, the generator voltage within Two per cent. (2%) of the generator voltage corresponding to the voltage directed by the Commission as aforesaid, and shall install suitable equipment and apparatus for such purposes.

2. (b) Whenever the Commission shall require, from time to time, the Company shall increase or decrease the voltage and frequency of its Plant or Plants, within safe operating limits of the then existing equipment of such Plant or Plants to the extent required by the Commission, in order to insure operation satisfactory to the Commission in parallel with the other sources of supply. It is understood and agreed that in operation of Plants in parallel, the control of power factor and delivery of power in any generating Plant, is, to a large extent within the control of the operators in that Plant, and the Company agrees, so far as it can do so with its equipment installed, to operate its Plant so as to maintain power factor at its point of measurement to the Commission, and, also the delivery of power within the limits directed by the Commission, from time to time, provided that by so doing, it shall, if, and to the extent necessary, be relieved from its obligations as to voltage and frequency regulation specified in Clause 2 (a):

2. (c) The Commission shall be entitled to the contract demand up to a maximum weekly load factor of Eighty-five per cent. (85%) thereof, and no more; that is to say, that during each week after October 1st, 1932, so long as this Agreement shall remain in force, the Commission shall be entitled, subject to the provisions of Clause 5, to receive such electrical

energy as it shall require not in excess of One Hundred and Six and Fifty-three Hundredths Kilowatt-hours (106.53 kw.h.) for each horsepower of contract demand.

On Sundays and holidays the Commission, at the request of the Company, shall take not less than Three (3) Kilowatt-hours for each horsepower of contract demand; On Saturdays the Commission, at the request of the Company, shall take not less than Seven (7) Kilowatt-hours for each horsepower of contract demand.

In the event of any change in the contract demand occurring other than at the beginning of a week, the Commission shall be entitled to receive the same number of kilowatt-hours for each horsepower of contract demand each day for the remainder of the week as were received for each horsepower of contract demand during the corresponding days of the last preceding week.

A week for the purposes of this Agreement shall commence at such time during the calendar week as the Commission shall give notice in writing to the Company.

2. (d) The maximum amount of the electrical power or energy delivered by the Company at any time when the ratio of the kilowatts to the kilovolt amperes is less than Eighty-five per cent. (85%), shall be Eighty-five per cent. (85%) of the kilovolt amperes considered as true power or kilowatts.

2. (e) In the application of the provisions of this Agreement, the Company shall be entitled to the same credit for horsepower and kilowatt-hours held available for the Commission, but not taken by the Commission, as if the same had been taken by the Commission, and except as provided in Clause 5, no failure by the Commission to provide the necessary transmission and other facilities to receive such power, and no failure to use the same, shall relieve the Commission from any of its obligations to make the full amount of payment herein specified to be made by it. For all purposes of this Agreement, the Company shall be considered to have held available for the Commission in each week, all the horsepower and kilowatt-hours to which the Commission was entitled in that week, unless the Company fails to have available the power which the Commission is entitled to and asks for under the provisions of this Agreement and the Commission complains of such failure at the time, and unless within Fourteen (14) days, or other time agreed upon, after the end of that week, the Commission shall have given to the Company written notice of the fact and approximate amount of the deficiency.

2. (f) If the Commission shall inadvertently take in any week, more kilowatt-hours than it is entitled to take in such week, the Commission will, upon request from the Company, adjust the matter by making a corresponding reduction in its takings in the next following three week period thereafter; always provided that the Company, so far as practicable, regulates the rate of delivery of power and the kilowatt-hours from time to time as the Commission may direct, as provided herein. But if, after receipt of such request from the Company, the Commission shall not during such three week period make good such excess taking and correspondingly reduce its takings during such three week period, then the Commission shall pay the Company for any excess energy so taken and not made good, as aforesaid, at twice the contract kilowatt-hour rate, which rate is a penalty rate and is not to be considered as giving the Commission the right to take intentionally excess energy.

2. (g) Because of the fact that the high voltage circuits involved in this Agreement will be physically connected and operated in parallel with those from other power sources, and because of the magnitude and nature of the systems involved, it is necessary that the Commission and the Company co-operate.

The Commission and the Company will co-operate in respect of all matters of common interest, including without limiting the generality of the foregoing, design of plant and equipment, and design of control, protective communication and other features, which necessitate similar or co-ordinated equipment.

The Commission and the Company shall install only first-class modern equipment, of such characteristics and type as are best suited for the service intended, and shall, from time to time, make such commercially reasonable changes in, or additions to said equipment (other than major equipment) as will best serve to maintain the system as a whole, in accordance with good practice in the art as developed from time to time.

The Commission and the Company shall each be entitled to the final decision in respect of the design of its own plant and property, other than such features thereof as necessitate similar or co-ordinated equipment at the plant of each party as aforesaid; in the event of the Commission or the Company exercising such right of final decision, then the Commission or the Company, as the case may be, shall be responsible for the suitability for the purpose intended of plant or equipment constructed according to the design selected by it.

The Commission and the Company shall exercise all due skill and diligence, so as to secure the satisfactory operation as a system of the plant, apparatus and property of both the Commission and the Company, including, without limiting the generality of the foregoing, parallel operation, voltage, power factor and any problems which may arise in connection with the use of the high voltage specified and length of lines contemplated.

3. The Commission Agrees:

(a) To pay to the Company, in monthly payments for all power and energy under this Agreement, at the rate of Fifteen Dollars (\$15.00) per annum per horsepower of the contract demand, as follows:—

Forty - three Thousand Seven Hundred and Fifty Dollars (\$43,750.00) per month from 1st October, 1932, until 1st October, 1933;

Ninety three Thousand Seven Hundred and Fifty Dollars (\$93,750.00) per month from 1st October, 1933, to 1st October, 1934;

One Hundred and Sixty-one Thousand Two Hundred and Fifty Dollars (\$161,250.00) per month from 1st October, 1934, to 1st October, 1935;

Two Hundred and Forty-five Thousand Dollars (\$245,000.00) per month from 1st October, 1935, to 1st October, 1936;

Three Hundred and Twelve Thousand Five Hundred Dollars (\$312,500.00) per month, from 1st October, 1936, and thereafter so long as this Agreement shall continue in force.

The amount of Dollars per month is obtained by multiplying the amount of the then contract demand, as determined in Clause 1 hereof, by one and one-quarter ($1\frac{1}{4}$); the said monthly payments being subject always to adjustment, as in this Agreement provided.

3. (b) To make all the payments to be made by it under this Agreement in lawful money of Canada, by depositing the same to the credit of the Company at such Bank or other place in the City of Toronto, in the Province of Ontario, as the Company may, from time to time, designate, and to pay the said monthly payments to the Company on the Twentieth day of each calendar month for the accrual of the preceding calendar month, the Company to render the bill on or before the tenth day of the month, provided that, if any bill remains unpaid on the Twentieth of the month in which it is rendered, the Commission shall thenceforth be in arrears for said payment, and all payments in arrears shall bear interest at the rate of six per cent. (6%) per annum; provided, further, that if the Commission or the Company be entitled to any adjustment in respect of any such payment, such adjustment shall be given effect to in the monthly payment falling due next after the determination thereof, and no portion of any monthly payment shall be postponed pending determination of any such adjustment except if and to the extent that any decision or determination on such adjustment (even though under appeal) shall have held the Commission entitled to the adjustment; every such adjustment shall include interest at the said rate of six per

cent. (6%) per annum on the amount allowed from the twentieth day of the month in respect to which such adjustment is allowed.

3. (c) At all times to take and use the electrical power in such manner that the current will be equally taken from the three phases, and in no case shall the difference in current between any two phases be greater than five per cent. (5%). If such difference be greater than five per cent. (5%) the Commission upon instructions from the Company shall so adjust its load as to comply with these requirements.

3. (d) At all times to take and use the power and energy set out in Clauses 1 (a), 1 (b), 1 (c), 1 (d), 1 (e) and 1 (f) hereof so as not to exceed the weekly takings, as specified in Clause 2 (c) herein.

4. (a) The measurement of electrical power and energy under this Agreement shall be made by means of suitable polyphase recording demand meters and integrating kilowatt-hour meters satisfactory to the Commission provided and installed by the Company, and so arranged as to measure and record accurately the said power and energy respectively. Readings from the said kilowatt-hour meters shall be taken daily at the same hour, and recorded by the Company on forms supplied by the Commission. Records from the said recording demand meters and the said integrating kilowatt-hour meters shall be dated and forwarded promptly by the Company to the Commission and such records on file with the Commission shall be available to the Company for inspection at all reasonable times.

4. (b) The power delivered and the demand in horsepower or either of them for the purpose of this Agreement shall be the integrated amount of power for twenty (20) consecutive minutes as determined from coincident readings of the above mentioned polyphase recording demand meters, provided that nothing in this sub-clause shall be construed as increasing any obligation of the Company under Clause 1 or the obligation of the Commission to pay under this Agreement.

4. (c) The weekly taking of the energy shall be determined from the weekly readings of the said integrating kilowatt-hour meters.

4. (d) The power and energy covered by this Agreement shall be delivered at approximately two hundred and forty thousand volts (240,000 V.), subject to Clause 2 as hereinbefore mentioned at the boundary between the Provinces of Ontario and Quebec, not further than five miles from Lake St. Francis, and the Company shall install the suitable and necessary transformers and transmission lines with circuits all of a number, type and capacity approved by the Commission. All electrical power and energy supplied under this Agreement shall be measured at the two hundred and forty thousand (240,000) volt step-up transformers at the Company's Beauharnois Station on the generator voltage side thereof, and no adjustment of such measurement shall be made for the loss in single step transformation from generator to transmission voltage (approximately 240,000 volts) nor for transmission loss to the point of delivery; the said transformer loss and said transmission loss at the said voltage from the transformer station to the point of delivery having already been allowed for, provided that if for any reason the measuring instruments are connected at other than the said point their readings shall be subject to a correction and shall be corrected to give results such as would be obtained by instruments connected at the said point.

The Company will provide a suitable communication system between its plants and the point of delivery.

4. (e) Access to said measuring instruments and transformers belonging to the Company shall be free to the Commission at any and all times, and the Commission may test such measuring instruments and transformers at any reasonable time in the presence of a representative of the Company, by giving to the Company seven (7) days' previous notice in writing of its desire to test such measuring instruments.

4. (f) Measuring instruments with the necessary current and potential transformers for the measurement of electrical power and energy here-

under shall be provided, installed and maintained by the Company satisfactory to the Commission.

The Company agrees to test each meter installed by it to measure the electric power and energy or either of them contracted for hereunder at least once in each sixty (60) days; the Commission shall be advised at least five (5) days before the day of the test so it may, if it so desires, have a representative present to witness and verify such test; at any time the Commission notifies the Company that it believes that such meters, or any of them, are not within the closest practicable agreement with perfect accuracy, such meter or meters shall be jointly tested within five (5) days of the receipt by the Company of the said notice; if any meter shall be found on regular or special test to be inaccurate, it shall be promptly adjusted and the record of its readings taken since the last prior test and all bills affected shall be corrected; the Company shall repair and replace or retest defective meters or measuring equipment within a reasonable time; during any time there is no meter in service it shall be assumed that the energy consumed is the same as for the other days of the same month on which a similar load existed.

4. (g) The Commission may, from time to time at its option, install duplicate measuring equipment including necessary current and potential transformers at the points of measurement for the purpose of checking records obtained from the Company's measuring equipment or for any other purpose.

4. (h) The Company shall be responsible for any damage to property or apparatus furnished by the Commission for the purpose of supplying or measuring power or energy hereunder, and installed on the Company's property, provided such damage originates from a source external to the said apparatus of the Commission and is not due to defects in the apparatus of the Commission.

4. (i) The kilowatts, kilovolt amperes, kilowatt-hours and all other factors and quantities or any of them, shall be determined directly or indirectly from the measuring equipment provided for in this Clause 4, and the standards of the University of Toronto or of the recognized national authority, if there be such generally accepted, shall be used as the final reference as to the accuracy of the measuring equipment.

5. (a) Subject to the direction of the Commission, as provided in Clause 2, the maintenance by the Company of approximately the agreed voltage at the agreed frequency at the point of delivery, together with the ability of the Company to meet the requirements of the Commission under this Agreement shall constitute the delivery of power and energy involved in this Agreement.

5. (b) In case the Company shall at any time or times be prevented from delivering, or the Commission from receiving the said power and energy, or either of them, or any part thereof, by strikes, riots, fire, invasion, explosion, act of God, the King's enemies, or any other similar cause or causes reasonably beyond the control of them or either of them, then to the extent of such prevention the Company shall not be bound to deliver and the Commission shall not be bound to pay for such power and energy during such time.

Each party shall be prompt and diligent in removing the cause of such interruption (and to this end shall in advance of any such interruption provide a reasonable reserve of spare parts and apparatus) and as soon as the cause of such interruption is removed, the Company shall, without any delay, deliver said power and energy, as aforesaid and the Commission shall pay for the same.

5. (c) The Company shall have the right at reasonable times and when possible, after due notice has been given to the Commission, to discontinue or reduce to the extent necessary, the supply of power and energy to the Commission for the purpose of safeguarding life or property or for the purpose of making repairs, renewals, or replacements to the generating, transforming or transmitting equipment of the Company, but all such interruptions, total or partial, shall be of a minimum duration, and, when possible, arranged for at times least objectionable to the Commission.

During

During such interruptions or reductions, the Commission shall be released from its obligations to pay for such power and energy, or either of them, as the Commission is entitled to receive, and the Company fails to deliver, or to hold available for the Commission.

5. (d) In case of the failure of the Company in any week to have available, as set forth in Clauses 1 and 2, the full amount of electrical power and energy to which the Commission is entitled hereunder in such week, there shall be a proportionate reduction in the sums payable by the Commission to the Company in respect of such week.

5. (e) The amount of reduction in the sums payable by the Commission to the Company for any week, or the amount which under Sub-clauses (b), (c) or (d) of this Clause 5, the Commission is not required to pay to the Company in any week shall be calculated in the following manner:

For energy, the amount accrued due from the Commission to the Company during such week shall be reduced by a sum having the same ratio to such accrued amount as the number of kilowatt-hours which the Company fails to have available as aforesaid bears to 106.53 times the then contract demand in horsepower.

For power, the amount accrued due from the Commission to the Company during such week shall be reduced by a sum having the same ratio to such accrued amount as the deficiency (that is, the average number of horsepower of electrical power which the Company fails to have available) averaged for the week bears to the then contract demand in horsepower, the said deficiency shall be determined as follows: For each total or partial interruption the average amount of deficiency below the contract demand shall be taken and then all the deficiencies both as to amount and length of time shall be averaged for the week in proportion to the total hours for the week, that is, the said deficiency shall be the sum total of all deficiencies during the week in horsepower hours divided by the total number of hours in the week.

All such reductions shall be adjusted on the monthly bills in each case for the full weekly periods terminating within the month for which the adjustment is made; provided that if, during the week including such period, the load factor of the electrical energy delivered to the Commission exceeds eighty-five per cent. (85%) of the contract demand (as reduced by such average number of horsepower of electrical power which the Company fails to have available when required by the Commission throughout such week), the Commission shall credit on the reduction, a rateable payment for the excess kilowatt-hours; the Commission shall be entitled to only one reduction in respect of any one failure, such reduction being either in respect of energy or in respect of power, whichever shall be the greater.

No reduction shall be made for power in respect of inadvertent failure of less than an aggregate of twenty minutes in any one week.

5. (f) If any failure of the Company is due to causes within its control (and without limiting the generality of the foregoing words, financial difficulties of the Company shall be deemed to be included therein), the Company, in addition to the reductions under Clause 5, shall pay to the Commission as liquidated damages in respect of every such failure occurring during the first fifteen (15) years after the commencement date, a sum equal to fifty per cent. (50%) of the reduction made in the sums payable by the Commission to the Company, as set out in Clause 3, and thereafter, a sum equal to one hundred per cent. (100%) thereof, which liquidated damages shall be in addition to said reductions. Provided, however, that deficiency in stream flow or any interruption under Clauses (5 (b) or 5 (c)) shall not be included in the term "causes within its control," as used in this paragraph.

6. One or more Representatives or Engineers of the Commission designated for this purpose, may, at any reasonable time during the continuance of this Agreement, have access to the premises of the Company for the purpose of inspecting the premises, apparatus, plants, property and electrical and hydraulic records of the Company pertaining to the power development at which the power supplied under this Agreement is generated and to take and obtain records therefrom as required. Representatives of the Company shall have similar rights in respect of the premises, apparatus,

plants,

plants, property and electrical and hydraulic records of the Commission, pertaining to the power supplied under this Agreement.

7. In case any disagreement, dispute, difference or question shall at any time hereafter arise between the Commission and the Company in respect to the construction of this Agreement or concerning anything herein contained or hereby provided for or arising thereout, or as to the rights, liabilities or duties of the Commission and the Company or either of them, the same shall forthwith be referred to a single arbitrator in case the parties can agree upon one, otherwise to two arbitrators, one to be appointed by each party to the difference, and in either case in accordance with and subject to the provisions of *The Arbitration Act* of the Province of Ontario, Revised Statutes of Ontario, 1927, chapter 97, or any statutory modification or re-enactment thereof for the time being in force, and shall be determined in accordance with the laws of the Province of Ontario. The award of the arbitrator or arbitrators shall be final and binding upon the Commission and the Company respectively but either may appeal from the award, and the right to appeal to the Supreme Court of Canada and to the Judicial Committee of the Privy Council shall not be limited by anything herein contained.

8. This Agreement is made subject to the terms of the Company's Emphyteutic Lease of the 23rd June, 1928, from the Government of the Province of Quebec, particularly the provisions of Clause 22 thereof relating to the export of power to the United States, which provisions shall be complied with by the Commission and may be enforced by the Company.

9. The rates to be paid and the payments to be made by the Commission for power as set forth in Clause 3 shall, subject to the provisions of this Agreement, include all compensation to the Company for all taxes, rentals, royalties, licenses, fees and charges that may be levied, assessed or imposed by Dominion, Provincial or Municipal or any other authority for or during the term of this Agreement or any part thereof; if, however, while this Agreement shall continue in force, (a) any Dominion or Provincial (but not Municipal) taxes or similar levies not now in existence be created or any now existing be increased, or (b) any Dominion or Provincial rentals or royalties or similar charges for the use of water not now in existence be created or any now existing be increased, in such a manner as to increase the cost to the Company, by reason of these items, of the electrical power and energy kept available for and delivered to the Commission under this Agreement, then in each and any such case, an increase shall be made in the payments by the Commission to the Company hereunder, which shall, after crediting any reduction in any such items, exactly compensate the Company for the increase thereby occasioned, in the cost to the Company of the electrical power and energy kept available for and delivered to the Commission hereunder; provided that in the event of any reduction in any such items the said increase in the payments by the Commission shall be reduced accordingly but not exceeding the total of the increase then in effect; provided that Workmen's Compensation and any rates or charges in respect thereof shall not be deemed a tax for the purpose of this Clause, and the liabilities and obligations of the Commission shall not be in any way increased thereby but the same shall be borne by the Company; the recently authorized educational tax of the Province of Quebec not yet promulgated is not considered as now in existence.

10. This Agreement shall be binding upon both parties hereto upon its execution and shall continue in force until the expiry of a period of forty (40) years, which period shall begin on the first day of October, 1932.

This Agreement may be extended for a further term of forty (40) years upon mutual agreement of the parties hereto.

11. The Commission shall be entitled at any time prior to the expiration of thirty (30) days notice in writing, from the Company, delivered after the termination of this Agreement and the last extension thereof, to remove from the premises of the Company any and all plant or equipment which may have been installed by the Commission for the supply or measurement of power hereunder.

12. All written notices which are required to be sent hereunder by either party to the other shall be sent by registered letter to such address, or addresses, as each party may from time to time file with the other; the parties agree each to maintain its address on file with the other.

13. This Agreement shall extend to, be binding upon and enure to the benefit of the successors and assigns of the parties hereto.

14. The Company covenants and agrees with the Commission that if at any time hereafter during the continuance of this Agreement the Company should mortgage, hypothecate or charge any of its rights or immovable property which are necessary for the development of power or energy, or any part of such property or rights, to secure bonds or debentures or other securities of like nature, any such mortgage, hypothecation or charge shall be expressly made subject to all covenants, agreements and obligations on the part of the Company in this Agreement contained and shall provide that any sale of the property or rights so mortgaged, or any part thereof, under the provisions of such mortgage shall be made subject to the obligations of the Company in this Agreement contained, and that the mortgaged premises shall not be sold except to a purchaser who shall covenant and agree with the Commission to assume and perform the obligations of the Company in this Agreement contained and in all respects succeed to the position of the Company hereunder; and it is agreed that all the said provisions shall be conditions of every contract mortgaging, hypothecating or charging the immovable property or rights of the Company which are necessary for the development of power or energy, or any part of such property or rights, and shall be expressed therein as stipulations in favour and for the benefit of the Commission.

The Company further covenants and agrees with the Commission that it will not, except by way of mortgage, hypothecation or charge, assign its emphyteutic lease of the 23rd June, 1928, from the Government of the Province of Quebec, or transfer any of its plant or immovable property necessary to the development of power or energy except to an assignee or transferee who shall covenant and agree with the Commission to assume and perform the obligations of the Company in this Agreement contained and in all respects succeed to the position of the Company hereunder.

In witness whereof the Commission and the Company have caused this Agreement to be executed under their respective Corporate Seals and the hands of their proper officers duly authorized thereto.

SIGNED, SEALED AND DELIVERED {

In the presence of

W. G. H.

L. C. C.

THE HYDRO-ELECTRIC POWER COM-
MISSION OF ONTARIO.

(Sgd.) C. A. MAGRATH,
Chairman.
(Seal)
Hydro-Electric
Power Commission
of Ontario.

(Sgd.) W. W. POPE,
Secretary.

BEAUHARNOIS LIGHT, HEAT AND
POWER COMPANY.

(Sgd.) R. O. SWEEZEY,
President.
(Seal)
Beauharnois Light,
Heat and Power
Company.
Incorporated 1902

(Sgd.) HUGH B. GRIFFITH,
Secretary.

SCHEDULE "D"

BETWEEN:

THE ONTARIO HYDRO-ELECTRIC POWER COMMISSION

—AND—

CHATS FALLS POWER COMPANY

ALSO KNOWN AS OTTAWA VALLEY POWER COMPANY

1. AGREEMENT, AS OF THE 15TH OF FEBRUARY, 1930, POWER CONTRACT.
2. AGREEMENT, AS OF THE 24TH OF FEBRUARY, 1930, OPERATING AGREEMENT.

1

This Agreement made in duplicate,
the 15th day of February, A.D. 1930 W.W.P.

E.R.P.
M.M.C.
A.G.M.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,
hereinafter called the "Commission"

of the first part,

—and—

CHATS FALLS POWER COMPANY, a Quebec Corporation,
hereinafter called the "Company"

of the second part.

Whereas the Commission, acting under *The Power Commission Act*, R.S.O. 1927, Chapter 57, and amendments thereto, is authorized to enter into an agreement for a supply of electrical power and energy to the Commission;

And whereas the Company is duly incorporated under the laws of the Province of Quebec with power to produce and sell electrical power and energy;

And whereas the Commission subject to the terms of a lease from the Government of the Province of Ontario is the holder of certain rights for the development of power by and with the use of the waters of the Ottawa River at Chats Falls within the Province of Ontario;

And whereas the Company under and subject to the terms of an Emphyteutic Lease from the Government of the Province of Quebec and by freehold holds all the water power at Chats Falls on the Ottawa River within the Province of Quebec subject to the terms of the said lease and the payment of rental and Royalty except in respect of fifteen thousand horsepower (15,000 H.P.) which the Company holds in freehold as set out in the said lease which is for a term of seventy-five (75) years from the first day of March, A.D. 1926, and was made before Maitre Arthur E. Simard, Notary, of the City of Quebec, on the 22nd day of June, A.D. 1926, under Number 2359.

And whereas the Commission and the Company as owners of the rights aforesaid are co-operating in the joint development of all power available from and with the use of the waters of the Ottawa River at Chats Falls on such Ottawa River within both the Province of Ontario and the Province of Quebec, and have also agreed that the Commission and the Company are each as between themselves entitled to the use of one-half of all waters

within

within the said Provinces which are available or which may hereafter become available for power purposes at Chats Falls on the said Ottawa River.

And whereas the Company is willing on the conditions herein contained to sell and deliver to the Commission all the electrical power and energy which it is entitled to produce from its share of the water as aforesaid and to enter into this Agreement in respect thereto; Subject to withdrawal of any such power and energy for use in the Province of Quebec as provided in the said Emphyteutic Lease and in this Agreement;

Now therefore this Indenture witnesseth that for the considerations herein contained the Parties hereto covenant, promise and agree as follows:

1. The Company agrees:

1. (a) To keep available for delivery to the Commission and to deliver to the Commission when and as required by the Commission on the conditions herein contained at the point of delivery hereinafter mentioned, ninety-six thousand horsepower (96,000 H.P.) of electrical power and energy in two blocks of forty-eight thousand horsepower (48,000 H.P.) each, commencing for the first block on the first day of October, A.D. 1931, hereinafter called the "commencement date," and for the second block on the first day of October, A.D. 1932, and continuing in each case so long as this Agreement shall remain in force, which first block of forty-eight thousand horsepower (48,000 H.P.) shall be the contract demand up to the said first day of October, A.D. 1932, and thereafter the said amount of ninety-six thousand horsepower (96,000 H.P.) shall be the contract demand until such contract demand is increased, as provided in Sub-clause (b) of this Clause 1; the horsepower comprising the contract demand from time to time shall be measured as provided in Clause 4 (b).

1. (b) Whenever from time to time the stream flow of the Ottawa River at Chats Falls proves sufficient for the development of more than one hundred and ninety-two thousand horsepower (192,000 H.P.) on the conditions herein contained whether by reason of the installation of additional storage facilities, more efficient operation of the same, increase in head or from any other cause whatsoever, then to keep available for the Commission and deliver to the Commission when and as required by the Commission and on the same conditions and at the same point of delivery all the electrical power and energy beyond the then contract demand which can be produced from the Company's half of the increased amount of water as shall be agreed upon between the Parties as capable of development, and the contract demand shall be correspondingly increased when the said power is available for delivery.

1. (c) To instal equipment having a total rated capacity of one hundred and eight thousand electrical horsepower (108,000 H.P.) for a contract demand of ninety-six thousand horsepower (96,000 H.P.) and from time to time thereafter whenever the contract demand is to be increased as provided in this Agreement, to instal additional equipment so that at all times the ratio of total rated capacity to contract demand shall not be less than one hundred and twelve and a half per cent. ($112\frac{1}{2}\%$).

1. (d) Subject to Clause 2 and to Clause 5, to deliver to the Commission whenever required by the Commission, electrical horsepower to the extent that water is available up to the maximum available overload and spare capacity specified in Clause 1 (c) without thereby increasing the then contract demand.

2. (a) The power delivered hereunder shall be alternating, three (3) phase, having a periodicity of twenty-five (25) cycles per second and a pressure between phase wires not exceeding the commercial maximum voltage of approximately two hundred and thirty thousand (230,000) volts, subject to a reduction of not over fifteen per cent. (15%) from the determined maximum voltage from time to time as the Commission may direct, and the equipment and apparatus installed by the Company in its plant shall be suitable for operation to obtain this condition, provided, however, that nothing herein shall be construed as obligating the Company to instal apparatus having a capacity in excess of rated capacity at normal

voltage: the Company shall maintain the generator voltage under normal operating conditions within two per cent. (2%) of the generator voltage corresponding to the voltage directed by the Commission as aforesaid and shall instal suitable equipment for such purposes, provided that if the Commission at any time takes power, as provided for in Clause 1 (d) in excess of the contract demand, then the Company shall, during such excess taking, maintain the voltage and frequency as aforesaid as nearly as possible with the equipment then installed.

2. (b) Whenever the Commission shall require, from time to time, the Company shall increase or decrease the voltage and frequency of its plant, within safe operating limits of the then existing equipment of such plant to the extent required by the Commission, in order to insure operation satisfactory to the Commission, in parallel with other sources of supply; it is understood and agreed that in operation of Plants in parallel, the control of power factor and delivery of power in any generating plant is, to a large extent, within the control of the operators in that plant, and the Company agrees, so far as it can do so with its equipment installed, to operate its plant so as to maintain the power factor at its point of measurement, to the Commission, and also to maintain the delivery of power in each case, within the limits directed by the Commission from time to time, provided that by so doing it shall, if and to the extent necessary, be relieved from its obligations as to voltage and frequency regulation specified in Clause 2 (a).

2. (c) The Commission shall be entitled to the contract demand up to a maximum weekly load factor of seventy per cent (70%) thereof, and no more; that is to say, that during each week after the first day of October, A.D. 1931, so long as this Agreement shall remain in force, the Commission shall be entitled, subject to the provisions of Clause 3 (e) and Clause 5, to receive such electrical energy as it shall require, not in excess of eighty-seven and seventy-three one-hundredths (87.73) kilowatt hours for each horsepower of contract demand, but nothing in this clause shall limit or affect the provisions of Clause 2 (g).

The Commission agrees to so take on all days during the week, at all times of low river flow, a sufficient share of the electrical energy which it is entitled to under this contract in order to prevent wastage of water during Saturdays, Sundays and holidays in such week, which waste water might otherwise have been used within the next week to fulfil the obligations under this Contract; the intent of the foregoing being to secure, at all times of low river flow, the most efficient use of the water to obtain the maximum output of the Plant; for the purposes of this clause, low river flow shall mean that river flow which is in any week insufficient to produce the contract amount of energy for the then contract demand.

In the event of any change in the contract demand occurring other than at the beginning of a week, the Commission shall be entitled to receive the same number of kilowatt-hours for each horsepower of contract demand each day for the remainder of the week as were received for each horsepower of contract demand during the corresponding days of the last preceding week. A week for the purposes of this Agreement shall commence at such time during the calendar week as the Commission shall from time to time specify by notice in writing to the Company.

2. (d) The maximum amount of the electrical power and energy delivered by the Commission at any time when the ratio of the kilowatts to the kilovolt amperes is less than eighty-five percent (85%) shall be eighty-five percent (85%) of the kilovolt amperes considered as true power or kilowatts.

2. (e) In the application of the provisions of this Agreement, the Company shall be entitled to the same credit for horsepower and kilowatt hours held available for the Commission, but not taken by the Commission, as if the same has been taken by the Commission, and except as provided in Clause 5 (b) no failure by the Commission to take such power and energy, or either of them, shall relieve the Commission from any of its obligations to make the full amount of payment herein specified to be made by it; for all purposes of this Agreement, the Company shall be considered to have held available for the Commission in each week all the horsepower and kilowatt hours to which the Commission was entitled in that week unless

the Company fails to have available the power and energy which the Commission is entitled to and asks for under the provisions of this Agreement and the Commission complains of such failure at the time, and unless within fourteen (14) days, or other time agreed upon, after the end of that week, the Commission shall have given to the Company written notice of the fact and the approximate amount of the deficiency.

2. (f) If the Commission shall inadvertently take in any week more kilowatt hours than it is entitled to take in such week, the Commission will, upon request from the Company, adjust the matter by making a corresponding reduction in its takings in the next following three week period thereafter; always provided that the Company so far as practicable, regulates the rate of delivery of power and the kilowatt hours from time to time as the Commission may direct, as provided herein; But if, after receipt of such request from the Company, the Commission shall not during such three week period make good such excess taking and correspondingly reduce its takings during such three week period, then the Commission shall pay the Company for any excess energy so taken at the kilowatt hour rate equivalent to the contract rate per horsepower per year at seventy per cent (70%) load factor.

2. (g) The Commission upon notice to the Company shall be entitled to take at any time in any week, electrical energy in addition to the kilowatt hours of electrical energy provided in Clause 2 (c), provided that the taking of such additional electrical energy does not require the use of water required for the fulfilment by the Company of its other obligations under this contract or under any contract by which power and energy or either of them, are required to be withdrawn for use in the Province of Quebec; for all additional electrical energy taken under this clause by the Commission the Commission shall pay to the Company at the rate of one mill per kilowatt hour until the first of October, 1941, and thereafter at a rate which shall be adjusted not oftener than every ten (10) years by mutual agreement between the parties hereto; in any event the Commission shall be required to pay under this clause only for such additional electrical energy as the Company is entitled to produce and the Commission is entitled to take as aforesaid; such additional electrical energy shall be determined from the measuring instruments mentioned in Clause 4, except as hereinafter provided in this clause.

If, however, at any time the power house and power house equipment of the Company forming part of the joint development be operated under the same authority and jointly as a single unit with the power house and power house equipment of the Commission forming part of the joint development, then during all times of such joint operation the amount of the said additional electrical energy shall be calculated in the following manner.

From one-half the total electrical energy produced and delivered at Chats Falls in any week measured as provided in Clause 4 shall be deducted, First—all electrical energy, if any, delivered in fulfilment by the Company of its obligations under the said Emphyteutic Lease by which electrical power and energy or either of them are required to be withdrawn for use in the Province of Quebec; Second—all electrical energy delivered in fulfilment by the Company of its other obligations under this Agreement.

All the remainder of the said one-half of the total electrical energy shall be the additional electrical energy for which the Commission shall pay under this clause.

If in the course of economical operation of the said separate works of the Company and of the Commission, equipment of either be taken out of use, the equipment of the other shall be used to make up the said maximum weekly load factor of seventy per cent (70%) before producing any such additional electrical energy.

2. (h) Because of the fact that the high voltage circuits involved in this Agreement will be physically connected and operated in parallel with those from other power sources, and because of the magnitude and nature of the systems involved, it is necessary that the Commission and the Company co-operate, therefore the Commission and the Company will co-operate in respect of all matters of common interest, including without

limiting

limiting the generality of the foregoing, design of plant and equipment, and design of control, protective, communication and other such features as necessitate similar or co-ordinated equipment at the Plants of each Party.

The Commission and the Company shall instal only first-class, modern equipment of such characteristics and type as are best suited for the service intended, and shall, from time to time, make such commercially reasonable changes in, or additions to such equipment (other than major equipment) as will best serve to maintain the joint undertaking from time to time in a state of operating efficiency equal to that of undertakings of generally similar purpose and size, in accordance with good practice in the art as developed from time to time.

The Commission and the Company shall each be entitled to the final decision in respect of the design of its own separately owned Plant and property other than such features thereof as necessitate similar or co-ordinated equipment at the Plants of each Party as aforesaid and other than the original installation for a total rated capacity, including reserve capacity, of two hundred and sixteen thousand horsepower (216,000 H.P.), and the additional generating equipment, and in the event of the Commission or the Company exercising such right of final decision, then the Commission or the Company, as the case may be, shall be responsible for the suitability for the purposes intended of Plant or equipment constructed according to the design selected by it.

The Commission and the Company shall exercise all due skill and diligence so as to secure the satisfactory operation, as a system, of the Plant, apparatus and property of both the Commission and the Company, including, without limiting the generality of the foregoing, parallel operation, voltage, power factor and any problems which may arise in connection with the use of such high voltage specified and length of lines contemplated.

2. (i) The Commission and the Company will each use its best efforts to obtain the construction at the earliest possible date by the authorities concerned of all works for the better regulating of the flow of the Ottawa River and for providing storage in the Ottawa River watershed which the parties agree are necessary to obtain the fullest possible advantage from the potential development at Chats Falls, and will co-operate in the study and keeping of records of the flow of the Ottawa River at Chats Falls and in the collection of essential data in relation to conditions in the watershed of the Ottawa River bearing on such flow,

2. (j) The Commission and the Company shall co-operate in all reasonable means for providing for the most economic use of the waters of the Ottawa River watershed.

2. (k) This Agreement shall only apply to the use of the water and to the electrical power and energy produced therefrom to which the Company is entitled as aforesaid, namely:—to the use of one-half of the water available for power purposes at Chats Falls and to the electrical horsepower and energy produced from the said one-half of the water.

3. THE COMMISSION AGREES:

3. (a) To pay to the Company in monthly payments for all power and energy under this Agreement at the rate of fifteen dollars (\$15.00) per annum per horsepower of the contract demand which is a total of sixty thousand dollars (\$60,000.00) per month commencing on the first day of October, A.D. 1931, until the first day of October, A.D. 1932, and thereafter a total amount of one hundred and twenty thousand dollars (\$120,000.00) per month until such time as the contract demand shall have been changed, and after any such change while this Agreement remains in force the amount in dollars per month which is obtained by multiplying the then contract demand by one and one-quarter ($1\frac{1}{4}$), all the payments under this Clause 3 (a) being subject always to adjustment as in this Agreement provided.

3. (b) To pay the Company in monthly payments for any excess kilowatt hours for which payment is to be made under Clause 2 (f) and for any additional kilowatt hours ordered by the Commission under Clause 2 (g); Such monthly payments shall cover any amounts payable for excess

or additional energy taken during the full weekly periods terminating within the month for which the payments are made, and a broken week shall be considered as terminating within the following month;

3. (c) To make all payments to be made by the Commission under this Agreement in lawful money of Canada at the office of the Bank of Montreal, at Montreal, and to make all monthly payments to the Company on the twentieth day of each calendar month for the accrual of the preceding calendar month, the Company to render the bill on or before the tenth of the month; provided that if any bill remains unpaid on the twentieth of the month in which it is rendered, the Commission shall thenceforth be in arrears for said payment and all payments in arrears shall bear interest at the rate of six per cent (6%) per annum; provided, further, that if the Commission or the Company is entitled to any adjustment in respect of any such payment, such adjustment shall be given effect to in the monthly payment falling due next after the determination thereof, and shall include interest at the said rate from the twentieth day of the month in respect to which adjustment is claimed;

3. (d) At all times to take and use the electrical power and energy in such manner that the current will be taken as nearly as possible equally from the three phases and in no case shall the difference in current between any two phases be greater than five per cent. (5%). If such difference be greater than five per cent. (5%) the Commission, upon instructions from the Company, shall so adjust its load as to comply with these requirements.

3. (e) At all times to take and use the power and energy set out in Clauses 1 (a), 1 (b), and 1 (d) hereof, so as not to exceed the weekly takings in kilowatt hours as specified in Clauses 2 (c) and 2 (g) herein; provided that the Commission may at any time, but subject to the provisions of Clause 2 herein, increase the electrical horsepower taken in excess of the contract demand, up to the limits of the overload capacity of all the equipment used from time to time by the Company to meet its obligations hereunder, including the spare capacity which the Company is to instal under this Agreement, but without thereby increasing the contract demand.

3. (f) To give the Company from time to time such information as it reasonably can regarding its expected requirements in kilowatt hours from the Company, particularly as to any probable reduction in such requirements, for any prospective period of light load. The intent of the Parties in this clause is so far as is possible by reasonable co-operation to secure the most economic use of the waters of the Ottawa River watershed.

4. (a) The measurement of electrical power and energy under this Agreement shall be made by means of suitable polyphase recording demand meters and integrating kilowatt hour meters, provided and installed by the Company and so arranged as to measure and record accurately the said power and energy respectively. Readings from the said kilowatt hour meters shall be taken daily at the same hour and recorded by the Company on forms supplied by the Commission. Records from the said recording demand meters and the said kilowatt hour meters shall be dated and forwarded promptly by the Company to the Commission and such records on file with the Commission shall be available to the Company for inspection at all reasonable times.

4. (b) The power delivered and the demand in horsepower or either of them for the purpose of this Agreement shall be the integrated amount of power for twenty consecutive minutes as determined from coincident readings of the above mentioned polyphase recording demand meters, provided that nothing in this subclause shall be construed as increasing any obligation of the Company under Clause 1 or the obligation of the Commission to pay under this Agreement.

4. (c) The weekly taking of the energy shall be determined from the weekly readings of the said integrating kilowatt hour meters.

4. (d) The power and energy covered by this Agreement shall be delivered at approximately two hundred and thirty thousand (230,000) volts, (subject to Clause 2) as hereinbefore mentioned, at the outgoing two hundred and thirty thousand (230,000) volt transmission line terminus on the transformer station structures which it is contemplated will be near the

Commission's generating station; the power and energy supplied under this Agreement shall be measured at the 230,000 volt, step-up transformers at Chats Falls on the generator voltage side thereof, without deducting any transformer loss. Provided that if the transformers are not erected within five hundred feet from the nearest wall of the Commission's generating station then any additional transmission losses between the generating station and the transformers shall be borne by the Commission.

4. (e) Access to said instruments and transformers belonging to the Company shall be free to the Commission at any and all times and the Commission may test such measuring instruments and transformers at any reasonable time in the presence of a representative of the Company, by giving to the Company seven (7) days previous notice in writing of its desire to test such measuring instruments.

4. (f) Measuring instruments with the necessary current and potential transformers for the measurement of electrical power or energy hereunder shall be provided, installed and maintained by the Company satisfactorily to the Commission.

The Company agrees to test each meter installed by it to measure the electrical power and energy contracted for hereunder, at least once in each sixty (60) days; the Commission shall be advised at least five (5) days before the day of the test so they may, if they so desire, have a representative present to witness and verify such tests; at any time the Commission notifies the Company that it believes that such meters, or any of them, are not within the closest practicable agreement with perfect accuracy, said meter or meters shall be jointly tested within five (5) days of the receipt by the Company of the said notice; if any meter shall be found, on regular or special test, to be inaccurate, it shall be properly adjusted and the record of its readings taken since the last prior test and all bills affected shall be corrected; the Company shall repair or replace and retest defective meters or measuring equipment within a reasonable time; during any time there is no meter in service, it shall be assumed that the energy consumed is the same as for other days of the same month on which a similar load existed.

4. (g) The Commission may, from time to time, at its option, install duplicate measuring equipment, including necessary current and potential transformers, at the points of measurement for the purpose of checking the records obtained from the Company's measuring equipment, or for any other purposes.

4. (h) The Company shall be responsible for any damages to property or apparatus furnished by the Commission for the purpose of supplying or measuring power hereunder and installed on the Company's property, providing such damage originates from a source external to the said apparatus of the Commission and is not due to defects in such apparatus or to the operations of the Commission or acts of its employees or to causes reasonably beyond the control of the Company.

4. (i) The kilowatts, kilovolt amperes, kilowatt hours, or any other factors and quantities or any of them, shall be determined directly or indirectly from the measuring equipment provided for in this Clause 4, and the standards of the University of Toronto or of the recognized national authority, if there be any generally accepted as such, shall be used as the final reference as to the accuracy of the measuring equipment.

5. (a) Subject to the direction of the Commission, as provided in Clause 2, and unless prevented from doing so by abnormal operating conditions, in the Commission's system, the maintenance by the Company of approximately the agreed voltage, at the agreed frequency, at the point of delivery, together with the ability of the Company to supply the power and energy under this Agreement, shall prima facie constitute the delivery of power and energy involved in this Agreement, provided, however, that the provision in Clause 2 (a) as to two percent. (2 %) regulation of voltage shall apply only at the points of generation.

5. (b) In case the Company shall, at any time or times, be prevented from delivering, or the Commission from receiving the said power and energy or either of them or any part thereof, by strikes, riots, invasion, act of God, the King's enemies, or any other major disaster reasonably beyond the control of them or either of them, then to the extent of such prevention,

the Company shall not be bound to deliver and the Commission shall not be bound to pay for such power or energy during such time.

Each Party shall be prompt and diligent in removing the cause of such interruption (and to this end shall in advance of any such interruption provide a reasonable reserve of spare parts and apparatus), and as soon as the cause of such interruption is removed, the Company shall, without any delay, deliver said power and energy as aforesaid and the Commission shall pay for the same.

5. (c) The Company shall have the right, at reasonable times, and when possible after due notice has been given to the Commission, to discontinue or reduce to the extent necessary, the supply of power and energy or either of them to the Commission for the purpose of safeguarding life or property, or for the purpose of making repairs, renewals or replacements to the generating, transforming, transmitting or other equipment of the Company at Chats Falls, but all such interruptions, total or partial, shall be of a minimum duration, and when possible arranged for at a time least objectionable to the Commission.

If such interruptions or reductions occur at a time when the Commission requires the delivery of such power then the Commission shall be released on a pro rata basis from its obligations to pay for such power and energy or either of them as the Commission is entitled to receive and the Company fails to deliver or to hold available for the Commission during such interruptions or reductions.

5. (d) In case of the failure of the Company for any cause other than those specified in Subclauses (b) and (c) of this Clause 5, to have available as set forth in Clauses 1 and 2, the full amount of electrical power or energy to which the Commission is entitled hereunder in any week, there shall be a proportionate reduction in the sums payable by the Commission to the Company in respect of such week.

5. (e) The amount of reduction in the sums payable by the Commission to the Company for any week or the amount which under Subclauses (b), (c) or (d) of this Clause 5 the Commission is not required to pay to the Company in any week shall be calculated in the following manner:

For energy, the amount accrued due from the Commission to the Company during such week shall be reduced by a sum having the same ratio to such accrued amount as the number of kilowatt hours which the Company fails to have available as aforesaid bears to 87.73 times the then contract demand in horsepower.

For power, the amount accrued due from the Commission to the Company during such week shall be reduced by a sum having the same ratio to such accrued amount as the deficiency (that is, the average number of horsepower of electrical power which the Company fails to have available) averaged for the week bears to the then contract demand in horsepower, the said deficiency shall be determined as follows: For each total or partial interruption the average amount of deficiency below the contract demand shall be taken, and then all the deficiencies both as to amount and length of time shall be averaged for the week in proportion to the total hours in the week, that is, the said deficiency shall be the sum total of all deficiencies during the week in horsepower hours divided by the total number of hours in the week.

All such reductions shall be adjusted on the monthly bills in each case for the full weekly periods terminating within the month for which the adjustment is made; no reduction shall, however, be made in respect of inadvertent failure of less than an aggregate of twenty (20) minutes in any one week; provided that if during the week including such period the electrical energy required by and delivered to the Commission exceed 87.73 kilowatt hours per horsepower of the balance of the contract demand after deducting the average number of horsepower of electrical power which the Company fails to have available throughout such week, the Commission shall credit on the reduction a rateable payment for the excess kilowatt hours, that is to say, such excess kilowatt hours up to the said seventy per cent. (70%) of the contract demand, which is 87.73 kilowatt hours per

horsepower

horsepower of contract demand shall be credited at the rate of 3.28 mills per kilowatt hour and all kilowatt hours taken over the said seventy per cent. (70%) of the contract demand shall be paid for as provided for under Clause 2 (g) of this Agreement; provided further that the Commission shall be entitled to only one reduction in respect of any one failure, such reduction being either in respect of energy or in respect of power whichever shall be greater.

5. (f) The Commission may from time to time with respect to any moneys due to it by the Company under this Agreement satisfy the same by allocating to the payment thereof by way of set-off and retention any other moneys due by it to the Company under any other agreement in force between the Commission and the Company.

6. If any failure of the Company under Clause 5 is due to causes within its control (and without limiting the generality of the foregoing words, financial difficulties of the Company shall be deemed to be within the control of the Company), the Company, in addition to the reductions under Clause 5, shall pay to the Commission as liquidated damages and not as a penalty in respect of every such failure occurring during the first fifteen (15) years after the commencement date, a sum equal to fifty per cent. (50%) of the reduction made in the sums payable by the Commission to the Company, as set out in Clause 3, and thereafter a sum equal to one hundred per cent. (100%) thereof, which liquidated damages shall be in addition to said reductions; provided, however, that deficiency in stream flow or any interruptions under Clauses 5 (b) or 5 (c) shall not be included in the term "causes within its control," as used in this paragraph.

7. One or more representatives or engineers of the Commission designated for this purpose may, at any reasonable time, during the continuance of this Agreement, have access to the premises of the Company for the purpose of inspecting the premises, apparatus, plants, property and the electrical and hydraulic records of the Company pertaining to the power developments at which the power supplied under this Agreement is generated, and to take and obtain records therefrom as required; representatives of the Company shall have similar rights in respect of the premises, apparatus, plants, property and electrical and hydraulic records of the Commission pertaining to the power generated by the Commission at Chats Falls.

8. In case any disagreement, dispute, difference or question shall at any time hereafter arise between the Commission and the Company in respect to the construction of this Agreement or concerning anything herein contained or hereby provided for or arising thereout, or as to the rights, liabilities or duties of the Commission and the Company or either of them, the same shall forthwith be referred to a single arbitrator in case the parties can agree upon one, otherwise to two arbitrators, one to be appointed by each party to the difference, and in either case in accordance with and subject to the provisions of *The Arbitration Act* of the Province of Ontario, Revised Statutes of Ontario, 1927, Chapter 97, or any statutory modification or re-enactment thereof for the time being in force, and shall be determined in accordance with the laws of the Province of Ontario. The findings of the arbitrator or arbitrators shall be final and binding upon the Commission and the Company respectively except that either may appeal from, move to set aside, vary or refer back an award as provided in the said *Arbitration Act*, and except that the right to appeal to the Supreme Court of Canada and to the Privy Council or either of them shall not be limited.

9. The Commission and the Company respectively shall be entitled at any time prior to the expiration of thirty days' notice in writing to the opposite party delivered after the termination of this Agreement and any extension thereof to remove from the premises of the other party any and all plant and equipment which may have been installed by it for the supply or measurement of power hereunder.

10. This Agreement is made subject to the restrictions imposed upon the Company under the Company's said Emphyteutic Lease dated the twenty-second day of June, 1926, from the Government of the Province of Quebec. The Commission unreservedly recognizes that this Contract

has been entered into by it with the knowledge that the Company may be required to deliver in accordance with the terms of its lease to users in the Province of Quebec as and when required, power developed by the Company and agrees that nothing in this Contract contained can or will derogate from such right and duty on the part of the Company to divert power to users in the Province of Quebec when required in accordance with the terms of the said Lease. The Commission also recognizes particularly the provisions of Clause 9 of the said Lease relating to the export of power to the United States, which provisions shall be complied with by the Commission and may be enforced by the Company.

11. The rates to be paid and payments to be made by the Commission, as set out in Clause 3, shall, subject to the provisions of this clause, include all compensation to the Company for all taxes, levies, rentals, royalties, license fees and charges that may be levied, assessed or imposed by the Dominion, Provincial or Municipal or any other authority for or during the term of this Agreement, or any part thereof; if, however, while this Agreement shall continue in force, (a) any Dominion or Provincial taxes or other similar levies (but not any Municipal taxes nor any income taxes) not now in existence be created or any now existing be increased in rate, or (b) any Dominion or Provincial rentals, royalties, license fees or similar charges for the use of power not now in existence be created, or any now existing be increased in rate in such a manner as to increase the cost to the Company by reason of these items of the electrical power and energy kept available for and delivered to the Commission under this Agreement, then in each and every such case an increase shall be made in the payments by the Commission to the Company hereunder which shall, after crediting any reduction in any such items compensate the Company for the increase thereby occasioned in the cost to the Company of the electrical power and energy kept available for and delivered to the Commission under this agreement. Provided that in the event of any reduction in any such items the said increase in the payments by the Commission shall be reduced accordingly to the extent of the total of the said increase but no more.

Provided further that Workmen's Compensation and any rates or charges in respect thereof shall not be deemed to be taxes for the purposes of this clause and the liabilities and obligations of the Commission shall not, in any way, be increased thereby but the same shall be borne by the Company; the recently authorized educational tax of the Province of Quebec not yet promulgated is not considered as now in existence.

12. This Agreement shall be binding upon both parties hereto upon its execution and shall continue in force for a period of forty (40) years from the said commencement date; if this Agreement be not extended beyond the said period of forty (40) years, then the Commission and the Company shall co-operate for the most efficient and satisfactory use of equipment and facilities common to both parties.

13. In the event that the Company, by reason of the provisions in the said Emphyteutic Lease, is required to withdraw the power covered by this Agreement, or any part thereof, for use in the Province of Quebec, and thereby any of the Commission's electrical equipment for purposes of transformation or transmission of the power generated at Chats Falls is rendered idle, in whole or in part, the Company will compensate the Commission therefor to the extent of the moneys which the Commission during the remainder of the period that this Agreement continues in force shall set aside or have to pay to meet interest, insurance, maintenance, protection and proper amortization, on the proportion of the capital cost of such equipment equal to the extent to which such equipment is so rendered idle during the time that the said equipment so remains idle, but the then contract demand shall be reduced by the amount of the power so withdrawn and nothing herein contained shall render the Company liable to the Commission for any loss arising from the Commission being forced to substitute other power for the power so withdrawn.

In the event of the Company being required to withdraw power under the provisions of the said Emphyteutic Lease the Company shall give to the Commission prompt notice in writing to that effect:

14. All written notices which are required to be sent hereunder by either party to the other shall be sent by registered letter to such address, or addresses, as each party may from time to time file with the other; the parties agree each to maintain its address on file with the other.

15. The Company covenants and agrees with the Commission that if at any time hereafter during the continuance of this Agreement the Company should mortgage, hypothecate or charge, in whole or in part, any of its property or rights which are necessary for the development of power or energy at Chats Falls to secure bonds or debentures or other evidences of indebtedness, any such mortgage, hypothecation or charge shall be expressly made subject to all covenants, agreements and obligations on the part of the Company in this Agreement contained; such mortgage, hypothecation or charge shall also expressly provide that no sale of the property or rights so mortgaged, hypothecated or charged, or any part thereof, or for the purpose of enforcing the provisions of such mortgage, hypothecation or charge shall be made, except subject to the said covenants, agreements and obligations and to the condition that the purchaser shall enter into a covenant, agreement and obligation with the Commission to assume and perform the said covenants, agreements and obligations and in all respects succeed to the position of the Company under this Agreement, and it is agreed that all the said provisions shall be conditions of every contract mortgaging, hypothecating or charging, in whole or in part, the property or rights of the Company which are necessary for the development of power or energy at Chats Falls and shall be expressed therein as stipulations in favour of and in trust for the benefit of the Commission. The Commission shall have the right to require the Company or other party granting any such mortgage, hypothecation or charge to enforce such provisions or may itself enforce the same either in its own name or if necessary in the name of such other party.

Before entering into any mortgage, hypothecation or charge as aforesaid the Company or party proposing to grant the same shall submit to the Commission a written draft of a clause or clauses to be included in the said Trust Deed, which clause or clauses shall either be in the language above set forth or be in language framed to afford the protection above provided for; the Commission will, within ten days from the submission of such clause or clauses approve of same or notify in writing any objections thereto; if no objection is offered within the said ten days the clause or clauses shall be taken to be approved, and if any objection is taken in which the mortgaging party does not concur, then the language of the clause or clauses is to be submitted to and approved of by Mr. Eugene Lafleur, K.C., or Mr. Aime Geoffrion, K.C., or Mr. G. H. Montgomery, K.C., or failing any of them by counsel to be named by the Chief Justice of the Superior Court of Quebec at Montreal on summary application if the mortgaging party is in the province of Quebec, and, if the mortgaging party is in the Province of Ontario then to be submitted to and approved of by Mr. Strachan Johnston, K.C., or Mr. Britton Osler, K.C., or Mr. E. G. Long, K.C., or failing any of them, by counsel to be named on summary application by the Chief Justice of the Supreme Court of Ontario; in either case the decision of such counsel shall be final.

The Company further covenants and agrees with the Commission that it will not, except by way of mortgage, hypothecation or charge as aforesaid, assign its Emphyteutic Lease of the 22nd June, 1926, from the Government of the Province of Quebec, or transfer any of its property or rights necessary to the development of power or energy at Chats Falls other than by way of mortgage, hypothecation or charge as aforesaid, except to an assignee or transferee who shall enter into a contract with the Commission covenanting to assume and perform the obligations of the Company in this Agreement contained and in all respects succeed to the position of the Company hereunder.

16. This Agreement shall extend to, be binding upon and enure to the benefit of the successors and assigns of the parties hereto respectively.

In witness whereof the Parties hereto have caused this Agreement to be executed under their respective corporate seals attested by the signatures of their proper officers duly authorized thereto.

SIGNED, SEALED AND DELIVERED In the presence of (SEAL) A. G. MACKINNON. (SEAL)	} THE HYDRO-ELECTRIC POWER COM- MISSION OF ONTARIO. (Sgd.) C. A. MAGRATH, <i>Chairman.</i> (Sgd.) W. W. POPE, <i>Secretary.</i> CHATS FALLS POWER COMPANY. (Sgd.) E. R. PARKINS, <i>President.</i> (Sgd.) M. M. COX, <i>Secretary.</i>
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THIS AGREEMENT made in duplicate This twenty-fourth day of February, A.D. 1931,

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,
 an Ontario Corporation, hereinafter called the "Com-
 mission,"

OF THE FIRST PART,

—and—

OTTAWA VALLEY POWER COMPANY, formerly known as
 Chats Falls Power Company, a Quebec Corporation,
 hereinafter called the "Company,"

OF THE SECOND PART.

Whereas the Commission and the Company by Agreement under date the fifteenth day of February, A.D. 1930, hereinafter called the "Joint Development Agreement," have undertaken jointly the development necessary for the utilization of the total power on the Ottawa River at Chats Falls within both the Provinces of Ontario and Quebec, on the basis of each being entitled as between themselves to the ownership, use and benefit of one-half of all the water available for power at such location and are co-operating in all undertakings necessary in order to bring the whole development to completion at an early date and to maintain and operate the same;

And whereas the Commission and the Company have entered into a further Agreement under date the 15th day of February, A.D. 1930, hereinafter called the "Power Contract," for the sale and delivery to the Commission by the Company of the electrical power and energy which the Company is entitled to produce and deliver from the said joint development:

And whereas the Commission and the Company have entered into an agreement under date the 24th day of February, A.D. 1931, hereinafter called the "Transformer Agreement" for the use by the Company and the Commission of a transformer and switching station therein called the "Transformer Station" to be constructed by the Commission in Ontario:

And whereas for the purpose of economic and efficient service it is desirable that the Commission in addition to maintaining and operating its separate works (as defined in the Joint Development Agreement) should also maintain and operate the works of the Company as hereinafter defined, together with the Company's rights in the said transformer station as defined in the said Transformer Agreement:

Now

Now therefore this Indenture witnesseth:

That for the considerations herein contained the parties hereto mutually covenant, promise and agree as follows:

1. The Company hereby appoints the Commission as its Agent for the purpose of this Agreement and authorizes the Commission as such Agent to exercise and use the rights and to maintain and operate the works of the Company at Chats Falls which are necessary for the delivery of power to the Commission under the said Power Contract, namely:

- (a) All separate works of the Company as defined in the Joint Development Agreement, being:
 - (i) The power house, which term shall not include any intake section necessary for the main dam but shall include every extension of the power house as an additional work;
 - (ii) Power house equipment;
- (b) The Company's interest in and share of the common equipment as defined in the said Joint Development Agreement or as may be mutually agreed upon from time to time;
- (c) The Company's interest and rights in the Transformer Station as defined in the said Transformer Agreement;

all of which power house, equipment, station, interest, rights, and works are hereinafter called the "Company's Works" which term for the purposes of this Agreement is intended to include all property and rights of the Company from the water intake to the point of delivery of power to the Commission at Two Hundred and Thirty Thousand (230,000) volts as mentioned in the said Power Contract.

The above defined works with the word "Commission" substituted for the word "Company" shall for the purposes of this Agreement be called the "Commission's Works."

2. The Commission as such Agent accepts the said appointment and authorization and agrees to maintain and operate the Company's works with skill and diligence without discrimination or favour as between the Commission's works and the Company's works and up to the same standard as the Commission shall maintain and operate the Commission's Works—all subject to the provisions hereinafter contained.

3. The Commission as such Agent shall have, enjoy and exercise all the rights, powers, authorities, privileges and immunities of the Company with respect to the Company's Works for the purposes of maintenance and operation of the same as herein provided, but the Commission shall be under no obligation whatsoever to undertake or continue any services, work or responsibility under this Agreement unless the Company maintain unimpaired its rights and privileges necessary for development of power at Chats Falls and observe and perform all requirements imposed by statute or other proper authority upon the Company, but the Commission shall be under no obligation to see to the maintenance of any rights or privileges of the Company or to the observance or performance of any requirements imposed upon the Company, but shall exercise its best endeavour and judgment to avoid doing any act that would imperil the Company's leases and rights.

4. All ordinary maintenance of the Commission's works and the Company's works shall be effected by the Commission without reference to the Company; all renewals, replacements and reconstruction such as rewinding of generators and replacing of water wheels of the Commissions' works and the Company's works other than in the Transformer Station shall before being effected be approved by the Company, but such approval shall not be unreasonably withheld.

5. The Commission will operate the Company's works in conjunction with the Commission's works so as to permit as far as possible the fulfilment of the rights and obligations of both parties under the Power Contract.

6. In case the Commission as such Agent shall at any time or times be prevented from operating the Company's works or performing this Agreement or any part thereof by strike, riot, fire, invasion, explosion, hurricane, flood, act of God, or the King's enemies, or any other cause reasonably beyond its control, or by failure of the Company to perform any obligations or requirements imposed upon it, then the Commission shall not be bound to perform its obligations under this Agreement to the extent that the same are interrupted thereby, but the Company shall not be relieved from its liability for the payment of cost under this Agreement; as soon as the cause of such interruption is removed the Commission shall continue to perform its obligations under this Agreement; the Commission shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption; upon request the Company will render any assistance it might reasonably be expected to render.

7. The Company shall at all times have free access to the Company's works and the Commission's works and everything therein contained relating to this Agreement; the Company shall also have access at all reasonable times to all books, accounts and records of the Commission concerning anything under this Agreement.

8. The Commission shall keep records covering all matters of essential importance hereunder and shall furnish each month to the Company a summary thereof in form similar to that in use by the Commission at Toronto, and whenever required by the Company the Commission shall furnish to the Company all reasonable information which may be necessary for the purposes of the Company hereunder and in addition shall at the expense of the Company furnish any special reports concerning any matters which may arise under the terms of this Agreement.

9. The Commission shall establish and maintain records in such form as will show in detail all receipts and expenditures and the costs of all services and work done under this Agreement so that the same may be checked by the Company and distribution of the items therein contained can be determined separately and distinct from all other cost and expenditures incurred and made by the Commission to the extent that this is practicable.

10. All accounts of the Commission hereunder shall be audited at least once in each fiscal year by the auditor of the Commission and may in addition, if the Company shall so require but at the expense of the Company be audited by an auditor appointed by the Company; copies of any reports made by the auditor of either party hereunder shall be furnished to the other party.

11. The Company shall pay to the Commission and the Commission shall accept as full compensation for acting as Agent for the Company and performing the services under this Agreement such sum annually as shall be equal to one-half of the total cost to the Commission of maintenance and operation of both the Company's works and the Commission's works at Chats Falls power plant including the common equipment and the Transformer Station and also of renewing, replacing and reconstructing the Company's works and the Commission's works and common equipment as hereinbefore provided, but expressly excluding renewals, replacements and reconstruction provided for in the Transformer Agreement; which total cost for the purposes of this Agreement shall without limiting the generality of the foregoing include the following items:

(a) All costs of materials, supplies, tools, stores, apparatus, machinery and equipment except those required for renewals, replacements or reconstruction in the Transformer Station as aforesaid, plus five per cent (5%) of such cost; Provided, however, that when major equipment shall be purchased with or without installation under contract with an equipment company, the percentage to be added to the cost of such equipment including any labour furnished by the equipment company shall be that adopted by the Commission under its general practice in respect to contracts of similar character and shall not in any event exceed five per cent (5%) of the contract prices for such equipment; provided that where installation is made by the Commission the cost of labour and of engineering

and

and other special services in connection therewith shall be determined as provided in Sub-clauses (b) and (c) of this Clause 11.

(b) All salaries, wages and other remuneration of all persons employed in connection with the services rendered or work done under this Agreement to which shall be added twenty-seven per cent (27%) thereof (which said percentage shall be included as compensation to the Commission for its office, administration and accounting expenses, pensions and Workmen's Compensation), and in addition thereto the out-of-pocket and travelling expenses of such persons while so employed.

(c) The costs of all special engineering, legal, accounting and other special services rendered by employees and officers of the Commission who shall be not regularly employed hereunder and added thereto fifty per cent (50%) of such costs and in addition the travelling and out-of-pocket expenses of such persons while engaged on such business.

(d) The costs of all engineering, legal accounting and other services other than those mentioned in subclauses (b) and (c) of this Clause.

(e) The net cost in each year which shall be incurred by the Commission in maintaining and operating, housing, living and other accommodation for employees, regular or special, engaged on the Commission's works and/or the Company's works; for the purpose of this subclause (e) the cost of maintaining such accommodation shall include interest and amortization at regular Commission rates of the capital cost thereof less any such capital cost already charged to the construction of the Power Development, and expenditures and allowances for insurance, repairs, renewals, taxes and other like charges.

12. The Company shall pay said compensation to the Commission in lawful money of Canada at Toronto on monthly bills, which monthly bills shall be rendered by the Commission to the Company on or before the tenth day of each month and become due and be paid by the Company to the Commission on or before the twentieth day of the said month; such monthly bills shall be mailed by the Commission addressed to the Company at its office in the City of Montreal and if any bill shall remain unpaid after the time when it becomes due the amount thereof shall bear interest at the rate of six per cent. (6%) per annum until paid; the Commission may apply against any such payment in default any money due to the Company by the Commission under the Power Contract or otherwise but failure to apply as aforesaid shall not relieve the Company.

13. In case any claim or claims shall be made against the Commission or the Company in connection with any work done or service rendered under this Agreement by the Commission, the Commission or the Company as the case may be shall promptly notify the other party thereof; if such claim shall arise in the Province of Quebec the Company shall defend the same; if any such claim shall arise in the Province of Ontario the Commission shall defend the same, and in either case each party shall render to the other all assistance for such purposes; costs and expenses in connection with such claims shall form part of the cost of maintenance and operation under this Agreement as mentioned in Clause 11.

14. Nothing in this Agreement shall relieve the Company or the Commission from any obligation under the said Power Contract, or the said Joint Development Agreement or from any obligation under the Transformer Agreement except as provided in Clause 19 of this Agreement.

15. This Agreement shall come into effect as soon as power is being delivered on commercial load from the Company's works or such earlier date as may be agreed upon and shall continue in force until terminated at any time by the Commission or the Company giving Three (3) months' notice in writing to the other party.

16. If by reason of any lawful authority in the Province of Quebec the Commission be prevented from or hindered in the performance of this Agreement, the Commission shall immediately notify the Company of the same, and from the date of each notification of the Commission shall be relieved from any obligation to perform this Agreement.

17. In case any disagreement, dispute, difference or question shall at any time hereafter arise between the Commission and the Company in respect to the construction of this Agreement or concerning anything herein contained or hereby provided for or arising thereout, or as to the rights, liabilities or duties of the Commission and the Company or either of them, the same shall forthwith be referred to a single arbitrator in case the parties can agree upon one, otherwise to three arbitrators, one to be appointed by each of the parties hereto and the third by these two or in case they cannot agree by a Judge of the Supreme Court of Ontario, and in either case in accordance with and subject to the provisions of *The Arbitration Act* of the Province of Ontario, Revised Statutes of Ontario 1927, Chapter 97, or any statutory modification or re-enactment thereof for the time being in force, and shall be determined in accordance with the laws of the Province of Ontario; the findings of the arbitrator or arbitrators shall be final and binding upon the Commission and the Company respectively except that either may appeal from, move to set aside, vary or refer back an award as provided in the said *Arbitration Act* and except that the right to appeal to the Supreme Court of Canada and to the Privy Council or either of them shall not be limited.

18. Any notice in writing under this Agreement may be given by mailing the same postage prepaid addressed to the party at its office address and shall be deemed to have been given the day following the day of mailing as aforesaid; each party shall keep its post office address on file with the other and such address shall remain the proper address of the party until changed by notice in writing.

19. To the extent necessary to give full effect to this Operating Agreement so long as it remains in force, this Operating Agreement shall take precedence over and supersede the Transformer Agreement and there shall be no duplication of payment for the same service under the two Agreements; but if this Operating Agreement cease to be in force to any extent then to that extent it shall cease to take precedence over or supersede the Transformer Agreement.

20. This Agreement shall extend to, be binding upon and enure to the benefit of the Commission and the Company and their successors and assigns respectively.

In witness whereof the parties hereto have caused this Agreement to be executed under their respective corporate seals attested by the signatures of their proper officers duly authorized thereto.

SIGNED, SEALED AND DELIVERED

In the presence of

(Commission Seal)

(Company Seal)

THE HYDRO-ELECTRIC POWER
COMMISSION OF ONTARIO.

J. R. COOKE,
Acting Chairman.

W. W. POPE,
Secretary.

OTTAWA VALLEY POWER COMPANY,

C. W. ALLEN,
President.

A. G. MACKINNON,
Secretary.

SCHEDULE "E"

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION

—AND THE—

JAMES McLAREN COMPANY LIMITED

1. AGREEMENT, AS OF THE 20TH OF DECEMBER, 1930.
2. AGREEMENT AS OF THE 14TH OF JANUARY, 1931.

1

This Indenture made in duplicate this 20th day of December, A.D. 1930.

BETWEEN:

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,
hereinafter called the "Commission"

OF THE FIRST PART,

—and—

THE JAMES MACLAREN COMPANY, LIMITED, hereinafter
called the "Company"

OF THE SECOND PART.

Whereas the Commission, acting under *The Power Commission Act*, R.S.O. 1927, Chapter 57 and Amendments thereto, is authorized to enter into an Agreement for a supply of electrical power and energy to the Commission.

And whereas the Company is duly incorporated under the laws of the Dominion of Canada, with power to produce and sell electrical power and energy, and is proceeding with Hydro-Electric developments for the said purposes in the Province of Quebec.

And whereas the Company is prepared to deliver electrical power and energy to the Commission at the boundary line between the Provinces of Ontario and Quebec from its pending and future developments on its freehold properties at Masson and High Falls, on the du Lievre River, at or near Buckingham, in the Province of Quebec, and is willing to enter into an Agreement with the Commission for such purposes.

Now therefore this Indenture witnesseth:

That for the considerations herein contained, the parties hereto covenant, promise and agree as follows:

1. The Company agrees:

(a) To keep available for delivery to the Commission and deliver to the Commission, when and as required by the Commission, on the First day of July, 1933, and thereafter so long as this Agreement shall continue in force, twenty thousand horsepower (20,000 H.P.) of electrical power or energy on the conditions herein contained; twenty thousand horsepower (20,000 H.P.) shall be the contract demand until such contract demand is increased as provided in subclause (b) next following:

1. (b) To keep available for delivery to the Commission and deliver to the Commission, when and as required by the Commission, on the

First day of July, 1934, and thereafter so long as this Agreement shall continue in force, twenty thousand horsepower (20,000 H.P.) of electrical power or energy on the conditions herein contained, making a total contract demand of forty thousand horsepower (40,000 H.P.) until such contract demand is increased, as provided in subclause (c) next following:

1. (c) To keep available for delivery to the Commission and deliver to the Commission, when and as required by the Commission, on the First day of July, 1935, and thereafter so long as this Agreement shall continue in force, twenty-seven thousand horsepower (27,000 H.P.) of electrical power or energy on the conditions herein contained, making a total contract demand of sixty-seven thousand horsepower (67,000 H.P.) until such contract demand is increased, as provided in subclause (d) next following.

1. (d) To keep available for delivery to the Commission and deliver to the Commission, when and as required by the Commission on the First day of July, 1936, and thereafter so long as this Agreement shall continue in force, thirty-three thousand horsepower (33,000 H.P.) of electrical power or energy on the conditions herein contained, making a total contract demand of one hundred thousand horsepower (100,000 H.P.) until such contract demand is increased, as provided in subclause (e) next following.

1. (e) To keep available for delivery to the Commission and deliver to the Commission, when and as required by the Commission, on the First day of November, 1936, and thereafter so long as this Agreement shall continue in force, twenty-five thousand horsepower (25,000 H.P.) of electrical power or energy on the conditions herein contained, making a total contract demand of one hundred and twenty-five thousand horsepower (125,000 H.P.) which shall constitute the maximum contract demand under this Contract.

1. (f) Subject to Clause 2 and Clause 5 to deliver to the Commission whenever required by the Commission electrical power to the extent that water is available up to fifteen per cent. (15 %) in excess of the then contract demand; such excess power shall not increase the then contract demand and no charge shall be made for its use, but nothing in this clause shall be construed as obligating the Company to deliver more kilowatt-hours of energy per week than the Commission is permitted to take under the provisions of Clause 2 (c).

1. (g) To install at its power developments on the said river sufficient equipment and spare equipment to ensure fulfilment of the terms of this Agreement, and for this purpose to provide excess or spare capacity so that at all times the ratio of total installed capacity to contract demand shall be not less than one hundred and fifteen per cent. (115 %).

2. (a) The power delivered hereunder, at the point of delivery shall be alternating, three-phase, and shall have a controlled average periodicity of twenty-five (25) cycles per second, and a pressure between phase wires not exceeding the commercial maximum voltage of approximately two hundred and forty thousand volts (240,000 V.) subject to a reduction from time to time as the Commission may direct of not over fifteen per cent. (15 %) from the determined maximum voltage selected by the Commission, and the equipment and apparatus installed by the Company in its plants shall be suitable for operation to maintain this condition; the Company shall maintain, under normal operating conditions, the generator voltage within two per cent. (2 %) of the generator voltage corresponding to the voltage directed by the Commission as aforesaid, and shall install suitable equipment for such purposes; the power delivered hereunder shall be commercially continuous, twenty-four (24) hour power, every day in the year except as provided herein.

2. (b) Whenever the Commission shall require from time to time, the Company shall increase or decrease the voltage and frequency of its plant or plants, within safe operating limits of the then existing equipment of such plants or plants to the extent required by the Commission, in order to ensure operation satisfactory to the Commission in parallel with other sources of supply; it is understood and agreed that in operation of plants

in parallel, the control of power factor and power delivery in any generating plant is, to a large extent, within the control of the operators in that plant, and the Company agrees so far as it can do so with its equipment installed, to operate its plant so as to maintain the power factor and the delivery of power within the limits directed by the Commission, from time to time.

If by reason of such parallel operation, the Commission shall inadvertently receive electrical power from the Company at a lower power factor than herein provided, or in excess of the amount to which the Commission is entitled under this Agreement, then the Commission shall not be subject to any charge hereunder for such excess taking of power and such excess taking shall not increase the Contract Demand as herein defined or increase the amount of the payment provided for in subclause (a) of Clause 3 and shall not increase or affect, in any way, any obligation of, or impose any obligation upon the Commission hereunder; excepting that the Company may notify the Commission of such excess and thereupon both parties shall exercise all skill and diligence so as to limit to the utmost such excess taking to a minimum amount and to the shortest possible period of time reasonably necessary for the proper adjustment of the power factors and loads among the various generating plants.

2. (c) The Commission shall be entitled to the contract demand up to a maximum weekly load factor of seventy per cent. (70 %) based on the then contract demand, that is to say, that during each week after the First day of July, A.D. 1933, so long as this Agreement shall remain in force, the Commission shall be entitled, subject to the provisions of Clause 5, to receive such electrical energy as it shall require not in excess of eighty-seven and seventy-three one-hundredths kilowatt-hours (87.73 Kw. Hrs.) for each horsepower of the then contract demand.

On Sundays and holidays, the Commission, at the request of the Company, shall take not less than three kilowatt-hours (3 Kw. Hrs.) for each horsepower of contract demand; on Saturdays the Commission, at the request of the Company, shall take not less than seven kilowatt-hours (7 Kw. Hrs.) for each horsepower of contract demand.

In the event of an increase in the contract demand occurring other than at the beginning of a contract week, the Commission shall be entitled to receive the same number of kilowatt-hours for each horsepower of contract demand each day for the remainder of the week as were received for each horsepower of contract demand during the corresponding days of the last preceding week.

A week for the purposes of this Agreement shall commence at such time during the calendar week as the Commission shall from time to time notify the Company in writing; such week shall be known as the "contract week."

2. (d) The maximum amount of kilovolt amperes to which the Commission shall be entitled under this Agreement shall be the kilowatts corresponding to the maximum amount in horsepower to which the Commission is entitled under Clause One (1) divided by eighty-five one-hundredths (.85).

2. (e) For all purposes of this Agreement, the Company shall be considered to have held available for the Commission in each week, all the horsepower and kilowatt-hours to which the Commission was entitled in that week, unless the Company fails to have available the power which the Commission is entitled to and asks for under the provisions of this Agreement and the Commission complains of such failure at the time, and unless within fourteen (14) days, or other time agreed upon, after the end of that week, the Commission shall have given to the Company written notice of the fact and approximate amount of the deficiency.

2. (f) If the Commission shall inadvertently take in any week more kilowatt-hours than it is entitled to take in such week, the Commission will, upon notice in writing from the Company, adjust the matter by making a corresponding reduction in its takings in the next following contract week after the contract week in which such notice shall have been given, unless the Company shall agree to extend this time; but if

after

after receipt of such notice from the Company, the Commission shall not during the said next following contract week make good such excess taking and correspondingly reduce its takings during the said contract week, then the Commission shall pay to the Company for any excess energy so taken at the rate of three and twenty-eight one-hundredths mills (3.28 mills) per kilowatt-hour.

2. (g) Because of the fact that the high voltage circuits involved in this Agreement will be physically connected and operated in parallel with those from other power sources, and because of the magnitude and nature of the system involved, it is necessary that the Commission and the Company co-operate.

The Commission and the Company will co-operate in respect of all matters of common interest, including without limiting the generality of the foregoing, design of plant and equipment and design of control, protective, communication and other features which necessitate similar or co-ordinated equipment.

The Commission and the Company shall instal only first-class, modern equipment of such characteristics and type as are best suited for the service intended, and shall from time to time make such commercially reasonable changes in or additions to said equipment (other than major equipment) as will best serve to maintain the system as a whole, in accordance with good practice in the art as developed from time to time.

The Commission and the Company shall each be entitled to the final decision in respect of the design of its own plant and property, other than such features thereof as necessitate similar or co-ordinated equipment at the plant of each party as aforesaid; in the event of the Commission or the Company exercising such right of final decision, then the Commission or the Company, as the case may be, shall be responsible for the suitability for the purpose intended of plant or equipment constructed according to the design selected by it.

The Commission and the Company shall exercise all due skill and diligence so as to secure the satisfactory operation as a system, of the plant, apparatus and property of both the Commission and the Company, including, without limiting the generality of the foregoing, parallel operation, voltage, power factor and any problems which may arise in connection with the use of the high voltage specified and length of lines contemplated.

3. THE COMMISSION AGREES:

(a) To pay to the Company, in monthly payments, for all power and energy under this Agreement, at the rate of Fifteen Dollars (\$15) per horsepower per annum, of the then contract demand in effect from time to time, which is a total of:

\$25,000.00 per month from July 1, 1933, until July 1, 1934.

\$50,000.00 per month from July 1, 1934, until July 1, 1935;

\$83,750.00 per month from July 1, 1935, until July 1, 1936;

\$125,000.00 per month from July 1, 1936, until November 1, 1936;

\$156,250.00 per month from November 1, 1936, and during the remaining term of this Agreement.

The amount of dollars per month is obtained by multiplying the maximum contract demand, as determined in Clause 1 hereof by One and one-quarter ($1\frac{1}{4}$); the said monthly payments being subject always to adjustment, as in this Agreement provided.

3. (b) To pay the Company in monthly payments for any excess kilowatt-hours for which payment is to be made under Clause 2 (f); such monthly payments shall cover any amounts payable for such excess kilowatt-hours taken during the full weekly periods terminating within the month for which the payments are made.

3. (c) To make all the payments to be made by it under this Agreement in lawful money of Canada, at Toronto, Province of Ontario, Canada, and to pay the said monthly payments to the Company on the twentieth day of each calendar month for the accrual of the preceding calendar month, the Company to render the bill on or before the tenth day of the month; provided that if any bill remains unpaid on the twentieth day of the month in which it is rendered, the Commission shall thenceforth be in arrears for said payment, and all payments in arrears shall bear interest at the rate of Six per cent. (6%) per annum; Provided, further, that if the Commission or the Company be entitled to any adjustment in respect of any payment, such adjustment shall be given effect to in the monthly payment falling due next after the determination thereof, and no portion of any monthly payment shall be postponed pending determination of any such adjustment, except if and to the extent that any decision or determination on such adjustment (even though under appeal) shall have held the Commission entitled to the adjustment; every such adjustment shall include interest at the said rate of Six per cent. (6%) per annum on the amount allowed from the Twentieth day of the month in respect to which adjustment is allowed.

3. (d) At all times to take and use the electrical power in such manner that the current will be taken from the three phases as nearly equally as practicable, and in no case shall the difference in current between any two phases be greater than Five per cent. (5%). If such difference be greater than Five per cent. (5%), the Commission, upon instructions from the Company, shall so adjust its load as to comply with these requirements.

3. (e) Subject to all the provisions hereof, at all times to take and use the power and energy covered by this Agreement within the limits set out in Clauses 1 and 2 hereof.

4. (a) The measurement of electrical power and energy under this Agreement shall be made by means of suitable polyphase recording demand meters and integrating kilowatt-hour meters, hereinafter called "measuring instruments," provided and installed by the Company and so arranged as to measure and record accurately the said power and energy, all in a manner satisfactory to the Commission. Readings from the said kilowatt-hour meters shall be taken daily at the same hour, and recorded by the Company on forms supplied by the Commission. Records from the said kilowatt-hour meters and the said recording demand meters shall be dated and forwarded promptly by the Company to the Commission and such records on file with the Commission shall be available to the Company for inspection at all reasonable times.

4. (b) The power delivered and the demand in horsepower or either of them for the purpose of this Agreement shall be the integrated amount of power for twenty (20) consecutive minutes, as determined from coincident readings of the above-mentioned polyphase recording meters and adjusted, when necessary, according to Clause 2 (d). Provided that nothing in this sub-clause shall be construed as increasing the contract demand or any obligation of the Company under Clause 1, or the obligation of the Commission to pay for power hereunder.

4. (c) The weekly taking of the energy shall be determined from the weekly readings of the said integrating kilowatt-hour meters.

4. (d) The power and energy covered by this Agreement shall be delivered at a voltage not exceeding Two hundred and forty thousand volts (240,000 v.) subject to Clause 2, as hereinbefore mentioned, at the boundary between the Provinces of Ontario and Quebec, at or near Cumberland, and the Company shall instal suitable and necessary transformers and a transmission circuit, which circuit shall include a river crossing with one spare conductor complete with the tower on the Ontario shore, all of types and capacities approved by the Commission; and the Company will on

completion of such installation transfer and convey to the Commission the said tower and so much of the said river crossing as is on the Ontario side of the said boundary. All electrical power and energy supplied under this Agreement shall be measured at the Two hundred and forty thousand volt (240,000 v.) step-up transformers at or near the Company's Masson Generating Station on the du Lievre River and on the generator voltage side thereof, and no adjustment of such measurement shall be made for the loss in single step transformation from generator to transmission voltage (approximately Two hundred and forty thousand volts (240,000 v.); the said transformer loss and the transmission loss at the said voltage from the place of measurement at the said transformers to the point of delivery have been and are hereby assumed by the Commission and have already been considered in arriving at the price herein specified; provided that if for any reason the measuring instruments are connected at other than the said point, their readings shall be subject to a correction and shall be corrected to give results such as would be obtained by instruments connected at the said point.

The Company will provide a suitable communication system between its plants and the point of delivery.

4. (e) Access to said measuring instruments and transformers belonging to the Company shall be free to the Commission at any and all times, and the Commission may test such measuring instruments and transformers at any reasonable time in the presence of a representative of the Company, by giving to the Company seven (7) days' previous notice in writing of its desire to test such measuring instruments.

4. (f) The measuring instruments with the necessary current and potential transformers for the measurement of electrical power and energy hereunder shall be provided, installed and maintained by the Company, all in a manner satisfactory to the Commission.

The Company agrees to test each meter installed by it to measure the electrical power and energy contracted for hereunder at least once in each sixty (60) days; the Commission shall be advised at least five (5) days before the day of the test, so that it may, if it so desires, have a representative present to witness and verify such test. At any time the Commission notifies the Company that it believes that such meters, or any of them, are not within the closest practicable agreement with perfect accuracy, such meter or meters shall be jointly tested within five (5) days of the receipt by the Company of the said notice. If any meter shall be found on regular or special test to be inaccurate, it shall be properly adjusted and the records of its readings taken since the last prior test shall be corrected, and all kilowatt hour readings affected shall be adjusted, all on the basis of the average of progressive inaccuracy. The Company shall repair and replace or retest defective meters or measuring equipment within a reasonable time. During any time there is no meter in service, it shall be assumed that the energy consumed is the same as for other days of the same month on which a similar load existed.

4. (g) The Commission may from time to time, at its option, install duplicate measuring equipment, including necessary current and potential transformers at the points of measurement for the purpose of checking records obtained from the Company's measuring equipment or for any other purpose.

4. (h) The Company shall not be responsible for any damage to property or apparatus furnished by the Commission for the purpose of supplying or measuring power or energy hereunder, or for any other purpose, and installed on the Company's property, unless such damage originates from a source within the control of the Company and external to the said apparatus of the Commission.

4. (i) The kilowatts, kilovolt amperes, kilowatt hours and all other factors and quantities or any of them, shall be determined directly or indirectly from the measuring equipment provided for in this Clause 4; and the standards of McGill University, or of the recognized National authority, if there be such generally accepted, shall be used as the final reference as to the accuracy of measuring equipment.

5. (a) Subject to the direction of the Commission, as provided in Clause 2, the maintenance by the Company of approximately the agreed voltage, at the agreed frequency, at the point of delivery, together with the ability of the Company to supply the power and energy under this Agreement, shall constitute the delivery of power involved in this Agreement.

5. (b) In case the Company shall at any time or times be prevented from delivering, or the Commission from receiving the said power and energy, or either of them, or any part thereof, by strikes, riots, fire, invasion, explosion, act of God, the King's enemies, or any other similar cause or causes reasonably beyond the control of them, or either of them, then to the extent of such prevention, the Company shall not be bound to deliver and the Commission shall not be bound to pay for such power or energy during such time.

Each party shall be prompt and diligent in removing the cause of such interruption (and to this end shall in advance of any such interruption provide a reasonable reserve of spare parts and apparatus), and as soon as the cause of such interruption is removed, the Company shall, without any delay, deliver said power as aforesaid, and the Commission shall pay for the same.

5. (c) The Company shall have the right at reasonable times and when possible, after due notice has been given to the Commission, to discontinue or reduce, to the extent necessary, the supply of power and energy, or either of them, to the Commission for the purpose of safeguarding life or property, or for the purpose of making repairs, renewals or replacements to the generating, transforming, transmitting, or other equipment of the Company, but all such interruptions, total or partial, shall be of a minimum duration, and, when possible arranged for at a time least objectionable to the Commission.

During such interruptions, the Commission shall be released from its obligation to pay for such power and energy as the Commission is entitled to receive and the Company fails to deliver or to hold available for the Commission.

5. (d) In case of the failure of the Company at any time to have available and to deliver, as set forth in Clauses 1 and 2, the full amount of the electrical power and energy to which the Commission is entitled under this Agreement, there shall be a proportionate reduction in the monthly sum payable by the Commission to the Company, and, without limiting the generality of the foregoing, any failure of the Company under Sub-clause (b) or Sub-clause (c) of this Clause shall be included as a failure under this Sub-clause (d); the amount of reduction from the amount which would otherwise accrue due from the Commission to the Company during such month shall bear the same ratio to such accrued amount as the average deficiency in horsepower during such month bears to the then contract demand in horsepower; the said average deficiency in horsepower during such month shall be the result determined from dividing the number of hours in the month into the total deficiency in horsepower hours below the Commission's requirements within the contract demand, resulting from all the said total or partial interruptions occurring during the month, as shown by the graphic meter records.

5. (e) If any failure of the Company, as mentioned in Clause 5 (d) is due to causes within the Company's control (any interruptions under Clauses 5 (b) or 5 (c) shall, in no way, be deemed to be in the control of the Company, but financial difficulties shall be deemed to be in the control of the Company), the Company, in addition to the reduction under Clause 5 (d), shall pay to the Commission, as liquidated damages determined beforehand in respect of every such failure, a sum equal to fifty per cent. (50 %) of the said reduction until the Thirty-first day of October, A.D. 1947, and thereafter to one hundred per cent. (100 %) of the said reduction, and the liquidated damages shall be in addition to the said reductions.

6. One or more representatives or engineers of the Commission designated for this purpose, may, at any reasonable time during the continuance of this Agreement, have access to the premises of the Company

for the purpose of inspecting the premises, apparatus, plants, property and electrical and hydraulic records of the Company pertaining to the power developments at which the power supplied under this Agreement is generated, and to take and obtain records therefrom as required.

Representatives of the Company shall have similar rights in respect of the premises, apparatus, plants, property and electrical records of the Commission, pertaining to the power supplied under this Agreement.

7. In case any disagreement, dispute, difference or question shall, at any time hereafter, arise between the Commission and the Company in respect to the construction of this Agreement or concerning anything herein contained, or hereby provided for, or arising thereout, or as to the rights, liabilities or duties of the Commission and the Company, or either of them, the same shall forthwith be referred to a single arbitrator in case the parties can agree upon one, otherwise to two arbitrators, one to be appointed by each party to the difference, and in either case in accordance with and subject to the provisions of *The Arbitration Act* of the Province of Ontario, Revised Statutes of Ontario, 1927, chapter 97, or any statutory modification or re-enactment thereof for the time being in force, and shall be determined in accordance with the laws of the Province of Ontario; the findings of the arbitrator or arbitrators shall be final and binding upon the Commission and the Company respectively, except that either may appeal from, move to set aside, vary or refer back an award as provided in the said *Arbitration Act*, and except that the right to appeal to the Supreme Court of Canada and to the Privy Council or either of them shall not be limited.

8. For all purposes of this Agreement, the electrical power and energy kept available for delivery to the Commission and delivered to the Commission under this Agreement shall be taken only from the electrical power and energy derived or developed from the water power owned by the Company in fee simple at Masson and High Falls on the du Lievre River.

This Agreement is made subject to the conditions lawfully attached by the Government of the Province of Quebec to the approvals of the plans and specifications of the works from which the power and energy delivered hereunder are obtained as to export of power to the United States.

9. The rates to be paid and payments to be made by the Commission for power and energy under this Agreement, shall, subject to the provisions of this Clause, include all compensation to the Company for all taxes, levies, rentals, royalties, license fees and charges that may be levied, assessed or imposed by the Dominion, Provincial or Municipal or any other authority for or during the term of this Agreement, or any part thereof; if, however, while this Agreement shall continue in force, (a) any Dominion or Provincial taxes or other similar levies (but not any Municipal taxes nor any income taxes) not now in existence be created or any now existing be increased in rate, or, (b) any Dominion or Provincial rentals, royalties, license fees or similar charges for the use of water, not now in existence be created, or any now existing be increased in rate, in such manner as to increase the cost to the Company by reason of these items of the electrical power and energy kept available for and delivered to the Commission under this Agreement, then in each and every such case, an increase shall be made in the payments by the Commission to the Company hereunder which shall, after crediting any reduction in any such items, exactly compensate the Company for the increase thereby occasioned in the cost to the Company of the electrical power and energy kept available for and delivered to the Commission under this Agreement; provided that in the event of any reduction in any such item, the said increase in the payments by the Commission shall be reduced accordingly to the extent of the total of the said increase but no more.

Provided further, that Workmen's Compensation and any rates or charges in respect thereof shall not be deemed to be taxes for the purposes of this Clause and the liabilities and obligations of the Commission shall not in any way be increased thereby but the same shall be borne by the Company; the recently authorized educational tax of the Province of Quebec not yet promulgated shall, for the purposes of this Clause, be regarded as not in existence.

Provided, however, and it is hereby expressly agreed in view of Clause 8 hereof, that all the obligations and liabilities of the Company now existing or which may hereafter arise under or by virtue of two Emphyteutic leases dated respectively the 7th day of November, 1929, and the 5th day of November, 1930, passed before Monsieur Roger Biron and Monsieur Edouard Biron respectively, each of whom is a Notary Public in and for the Province of Quebec and made between the Honourable Honore Mercier, acting in his quality of Minister of Lands and Forests of the Province of Quebec as Lessor, and the Company as Lessee, shall be deemed to have been in existence prior to the date of this Agreement, and that in no event shall any increase be made in the payments by the Commission to the Company or its Assigns under this Agreement, for or in respect of or by reason of any taxes, assessments, tariffs, levies, rentals, royalties, fees, charges or other payments of any kind whatsoever, which are payable or which may hereafter become payable under or by virtue of the said Emphyteutic Leases or either of them, or under any of the provisions contained therein or in any other Provincial Lease or Leases whatsoever.

10. This Agreement shall be binding upon both parties hereto upon its execution, and shall continue in force until the expiry of a period of forty (40) years, which period shall begin on the first day of July, A.D. 1933.

11. The Commission shall be entitled at any time prior to the expiration of thirty (30) days' notice in writing from the Company, delivered after the termination of this Agreement, to remove from the premises of the Company any and all plant or equipment which may have been installed by the Commission for the supply or measurement of power hereunder.

12. All written notices which are required to be sent hereunder by either party to the other shall be sent by registered letter to such address or addresses as each party may, from time to time, file with the other. The parties agree each to maintain its address on file with the other.

13. The Company covenants and agrees with the Commission that if, at any time hereafter, during the continuance of this Agreement, the Company or any assignee or transferee from the Company should mortgage, hypothecate or charge any of its rights, or immovable property, which are necessary for the development of power or energy, or any part of such property or rights, to secure bonds or debentures or other securities of like nature, any such mortgage, hypothecation or charge shall be expressly made subject to all covenants, agreements and obligations on the part of the Company in this Agreement contained and shall provide that any sale of the property or rights so mortgaged, hypothecated or charged, or any part thereof, under the provisions of such mortgage, hypothecation or charge, shall be made subject to the obligations of the Company in this Agreement contained, and that the premises mortgaged, hypothecated or charged shall not be sold except to a purchaser who shall covenant and agree with the Commission to assume and perform the obligations of the Company in this Agreement contained, and in all respects succeed to the position of the Company hereunder; and it is agreed that all the said provisions shall be conditions of every contract mortgaging, hypothecating or charging the immovable property or rights of the Company or any assignee or transferee, as aforesaid, which are necessary for the development of power or energy, or any part of such property or rights, and shall be expressed therein as stipulations in favour of, and for the benefit of the Commission.

The Company further covenants and agrees with the Commission that it will not assign or transfer any of its plant or immovable property necessary to the development of power or energy except to an assignee or transferee, which shall covenant and agree with the Commission, in such form and manner as the Commission may require, to assume and perform the obligations of the Company in this Agreement contained; any such assignment or transfer shall not relieve the Company from any of its said obligations, and the Company will, if required by the Commission, execute and deliver to the Commission its guarantee in such form as the Commission may require for the full performance of this Agreement by such assignee or transferee.

14. This Agreement shall extend to, be binding upon and enure to the benefit of the successors and assigns of the parties hereto, subject to the consent in writing of the Commission to any assignment other than an assignment to an assignee that shall have complied with Clause 13.

In witness whereof the parties hereto have caused this Agreement to be executed under their Corporate Seals, attested by the signatures of their proper officers duly authorized thereto.

WITNESS:

L. C. CHRISTIE.

Recommended:

Dec. 20, 1930.

(Sgd.) R. T. JEFFERY,
Engineering Dept.

Dec. 10, 1930.

(Sgd.) W. GEORGE HANNA,
Legal Dept.

Approved:

Dec. 20, 1930.

(Sgd.) I. B. LUCAS,
Gen. Solicitor.

Dec. 20, 1930.

(Sgd.) F. A. GABY,
Chief Engineer.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

(Sgd.) C. A. MAGRATH,
Chairman.

(Sgd.) W. W. POPE,
Secretary.

(Seal) HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

THE JAMES MACLAREN CO., LIMITED,

(Sgd.) ALBERT MACLAREN,
President.

.....
Secretary.

(Seal) THE JAMES MACLAREN COMPANY, LIMITED, 1900.

T.H.H.

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THIS AGREEMENT made in triplicate this 14th day of January, A.D. 1935.

BETWEEN:

THE JAMES MACLAREN COMPANY LIMITED, herein called the "MacLaren Company"

OF THE FIRST PART,

MACLAREN-QUEBEC POWER COMPANY, herein called the "Power Company",

OF THE SECOND PART,

—and—

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO, herein called the "Commission",

OF THE THIRD PART.

Whereas by an Indenture dated the Twentieth day of December, A.D. 1930, the MacLaren Company therein called the "Company," entered into a contract with the "Commission" therein called the Commission, for the sale of power to the Commission, and also on the same date the Commission gave to the Company a letter supplementary to the said contract, the said contract and supplementary letter being herein referred to as the "Power Contract."

And whereas in the said power contract it was provided as follows:

"The Company further covenants and agrees with the Commission that it will not assign or transfer any of its plant or immovable property necessary to the development of power or energy except to an assignee or transferee, which shall covenant and agree with the Commission, in such form and manner as the Commission may require, to assume and

perform

perform the obligations of the Company in this Agreement contained; any such assignment or transfer shall not relieve the Company from any of its said obligations, and the Company will, if required by the Commission, execute and deliver to the Commission its guarantee in such form as the Commission may require for the full performance of this Agreement by such assignee or transferee."

And whereas the MacLaren Company desires to transfer to the Power Company certain properties and rights of the MacLaren Company including the plant and immovable property of the MacLaren Company necessary for the development of electrical power or energy and also desires to transfer to the Power Company the rights, interest and benefit of the MacLaren Company under or arising out of the said power contract.

Now, therefore, this Agreement witnesseth that for the considerations herein contained the parties hereto covenant, promise and agree as follows:

1. The Power Company hereby covenants and agrees with the Commission to assume, undertake and perform and hereby assumes and undertakes and binds itself to perform all the covenants, agreements and obligations of the MacLaren Company under or arising out of the power contract as fully and effectually as the MacLaren Company itself might or could do.

2. The above mentioned transfer of the said plant and immovable property and of the rights, interest and benefit of the MacLaren Company under or arising out of the power contract shall not release or relieve the MacLaren Company from any obligation contained in the power contract.

3. The MacLaren Company hereby covenants and agrees with the Commission that the Power Company will from time to time and at all times perform all the covenants, agreements and obligations contained in the power contract on the part of the MacLaren Company to be performed, and that if the Power Company shall in any respect whatsoever fail to perform any of the said covenants, agreements and obligations with the Commission in accordance with the power contract, the MacLaren Company will itself perform or cause to be performed the said covenants, agreements and obligations as fully in all respects as if the power contract had never been transferred to the Power Company and the MacLaren Company hereby renounces the benefit of discussion and binds itself jointly and severally with the Power Company for due performance as in this clause above set out.

4. The MacLaren Company further covenants and agrees with the Commission that the Commission may at any time agree with the Power Company to vary the terms of the power contract with the Power Company, or take or receive from the Power Company any security whatsoever to secure performance of the said covenants, agreements and obligations, or grant any extension of time to the Power Company, or deal with the Power Company in any manner whatsoever without releasing the MacLaren Company from any covenants, agreements and obligations contained herein or in the power contract or in the power contract as so varied:

5. The Commission hereby declares that the covenants and agreements of the Power Company contained in Clause 1 of this Agreement are made in the form and manner required by the Commission as contemplated by the above recited paragraph from the said power contract and that the guarantee of the MacLaren Company contained in Clause 3 of this Agreement is made in the form and manner required by the Commission as contemplated by the said above recited paragraph, and the Commission hereby consents to the transfer by the MacLaren Company to the Power Company of the rights, interest and benefit of the MacLaren Company under or arising out of the said power contract, subject always to all the terms and provisions of this Agreement.

In witness whereof the Parties hereto have caused this Agreement to be executed under their corporate seals, attested by the signatures of their proper officers duly authorized thereto.

WITNESS:

{ THE JAMES MACLAREN COMPANY,
LIMITED,

(Sgd.) ALBERT MACLAREN,
President.

(Seal)

{ (Sgd.) J. H. COPPING.

(Sgd.) J. A. BRYANT,
Secretary.

MACLAREN-QUEBEC POWER COMPANY,

(Seal)

(Sgd.) ALBERT MACLAREN,
President.

{ (Sgd.) J. H. COPPING.

(Sgd.) J. A. BRYANT,
Secretary.

Recommended:

January 13, 1931.

(Sgd.) W. GEORGE HANNA,

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,

(Seal)

Approved:

January 13, 1931.

(Sgd.) I. B. LUCAS.

(Sgd.) J. R. COOKE,
Vice Chairman.

January 14, 1931.

(Sgd.) F. A. GABY.

{ (Sgd.) W. W. POPE,
Secretary.

CHAPTER 54.

An Act to amend The Power Commission Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Power Commission Amendment Act, 1935*.

Rev. Stat.,
c. 57, s. 1,
cl. b,
amended.

2.—(1) Clause *b* of section 1 of *The Power Commission Act* is amended by striking out the words “electrical power or energy” in the last line and inserting in lieu thereof the words “hydraulic, electrical, steam, gas or other power or energy,” so that the said clause shall now read as follows:

“Works.”

(*b*) “Works” shall include all property, plant, machinery, installations, materials, devices, fittings, apparatus, appliances and equipment constructed, acquired or used in the generation, transformation, transmission, distribution, delivery, sale or use of hydraulic, electrical, steam, gas or other power or energy.

Rev. Stat.,
c. 57, s. 1,
amended.

(2) The said section 1 is further amended by adding thereto the following clauses:

“Power.”

(*f*) “Power” shall include hydraulic, electrical, steam, gas or other power and shall also include energy;

“Supply.”

(*g*) “Supply” shall include delivery, dealing in, and sale.

Rev. Stat.,
c. 57, s. 11,
cl. c,
re-enacted.

3. Clause *c* of section 11 of *The Power Commission Act* is repealed and the following substituted therefor:

For
unforeseen
expenses.

(*c*) to meet any unforeseen expenditures or costs caused by or arising from injury to, or destruction, obsolescence or loss of use of, any works or other property of the Commission or otherwise incurred or payable by the Commission;

Insurance
against
loss or
damage to
property.

(*d*) to provide its own funds as insurance against loss or damage to any property of the Commission, or loss or damage to the persons or property of others caused

by

by or arising from the works or operations of the Commission.

4.—(1) Notwithstanding anything contained in sections 11a and 56 of *The Power Commission Act* the Commission shall not be required to open and maintain the stabilization fund account referred to in the said sections until such time as the Commission may otherwise determine and the Commission may, for stabilization fund purposes, set apart moneys under section 11. Stabilization fund.

(2) This section shall be deemed to have been in force as from the 3rd day of April, 1930. Commencement of section.

5. Section 36 of *The Power Commission Act* as amended by section 2 of *The Power Commission Act, 1934*, is repealed and the following substituted therefor: Rev. Stat., c. 57, s. 36, re-enacted.

36.—(1) Subject to the approval of the Lieutenant-Governor in Council, the Commission may borrow money and issue notes, bonds, debentures and other securities or do any of these things for any of the purposes of the Commission. General borrowing powers.

(2) The said purposes of the Commission shall, without limiting the generality thereof, include,— Purposes of Commission shall include.

(a) repayment on account of the advances by the Province to the Commission;

(b) payment, refunding or renewal from time to time of the whole or any part of any loan made or securities issued by the Commission under the provisions of this or any other Act;

(c) payment of the whole or any part of any loan or of any liability or of any bonds, debentures or other securities, payment whereof is guaranteed or assumed by the Commission.

(3) For the purposes specified in subsection 2 the Commission may borrow and may issue as aforesaid in such amounts as will realize the net sum required by the Commission for such purposes and a recital or declaration in the resolution or minutes of the Commission authorizing the issue of securities to the effect that the amount of securities so authorized is necessary to realize the net sum required for the purposes of the Commission shall be conclusive evidence of the fact. May borrow net sum.

Commission
may sell
or pledge.

- (4) The Commission on such terms and conditions as it deems advisable may sell or otherwise dispose of any such notes, bonds, debentures and other securities, may charge, pledge, hypothecate, deposit or otherwise deal with any such securities as collateral security and may do any of these things.

Re-issue of
securities.

- (5) Any such securities dealt with as collateral security when redelivered to the Commission or its nominees on or after payment, satisfaction, release or discharge in whole or in part of any indebtedness or obligation for which such securities may have been given as collateral, or when the Commission again becomes entitled to such securities, may be treated by the Commission as unissued and may be issued, reissued, charged, pledged, hypothecated, deposited, dealt with as collateral security, sold or otherwise disposed of from time to time upon such terms and conditions as the Commission may deem advisable, or at its option may be cancelled and fresh securities to the like amount and in like form may be issued in lieu thereof with the like consequences, and upon such issue or reissue any person entitled thereto shall have the same rights and remedies as if the same had not been previously issued.

Commission
may pledge
securities.

- (6) The Commission on such terms and conditions as it deems advisable may charge, pledge, hypothecate, deposit or otherwise deal with as collateral security any bonds, debentures or other securities in which it has invested its funds as in section 12 provided.

Rev. Stat.,
c. 57, s. 40,
amended.

6. Section 40 of *The Power Commission Act* as amended by section 5 of *The Power Commission Act, 1929*, is further amended by adding thereto the following subsections:

Work for
extending
use of
electricity.

- (4) Subject to the approval of the Lieutenant-Governor in Council the Commission, out of any funds in its hands, may undertake and carry on investigation, experiments, research, development and other work in or for the generation, transformation, transmission, distribution, supply, sale or use of hydraulic, electrical, steam, gas or other power or energy and may use and apply the results thereof, and may undertake and carry on any electro-chemical, chemical, or physical process and, without limiting the generality thereof, electrolysis, reduction, synthesis and conversion of water and other resources, their constituents and compounds and the development and manufacture of products therefrom.

- (5) The Commission may acquire any patent or license, or interest in any patent or license and may use or supply or dispose of by sale, lease, hire, license or otherwise any such patent, license or interest and any product, article or commodity produced, used, acquired or found in the operations of the Commission and any right to or interest in any process or the right to use the same. Dealing in patents and products.
- (6) The Commission may do any or all of the things authorized in this section and as principals, agents, contractors, trustees or otherwise and either alone or in conjunction with others. A municipal corporation or commission may act as agent for the Commission. Power to act with others.
- (7) Any net profit obtained by the Commission from anything authorized in this section shall be applied as the Commission shall deem equitable towards reduction in the cost of power to municipal corporations having contracts with the Commission for the supply of electrical power or energy. Profits to reduce cost of power.

7. Section 43a of *The Power Commission Act* as enacted by section 2 of *The Power Commission Act, 1933*, is amended by adding thereto the following subsections: Rev. Stat., c. 57, s. 43a (1933, c. 47, s. 2), amended.

- (6) The contract with a municipal corporation under subsection 5 may provide for the supply of electrical power or energy at fixed rates or price notwithstanding anything contained in section 56, and in such event the provisions as to cost in section 56 and the provisions in other sections of this Act relating to such cost shall not apply to such municipal corporation but otherwise this Act shall apply to such municipal corporation. Cost in s. 56 shall not apply
- (7) Subsection 6 shall apply to municipal corporations supplied with power from works covered by an agreement authorized under subsection 2 of this section and shall be deemed so to have applied since the 18th day of April, 1933. Commencement of subs. 6.

8. *The Power Commission Act* is amended by adding thereto the following section: Rev. Stat., c. 57, amended.

69a.—(1) The Commission may enter into an agreement or agreements with His Majesty the King in the right of the Province of Ontario providing for the supply and distribution of electrical power or energy by the Commission on behalf of the Province in unorganized townships, in Provincial Parks and in

other

other territory without municipal organization and including under any such agreement from time to time any one or more of the areas that may be defined under subsection 2, and any such agreement when executed by the President of the Executive Council of Ontario, representing His Majesty, and by the Commission, shall be valid and binding on His Majesty in the right of the Province of Ontario and on the Commission respectively.

Commission
may define
areas.

- (2) Subject to the approval of the Lieutenant-Governor in Council, the Commission may define areas in unorganized townships, in Provincial Parks and in other territory without municipal organization; the Commission may make any such area or areas a rural power district or part thereof, or part of an existing rural power district; the Commission may alter, enlarge or diminish any such area and may incorporate the whole or any part of any such area in any other rural power district but before adding to any area land not previously included in any area, the approval of the Lieutenant-Governor in Council shall first be obtained; for the purposes of this section a rural power district shall include any such district established under this section or under section 66.

Supply of
power.

- (3) Subject to agreement under subsection 1, the Commission may, on behalf of the Province,—

- (a) acquire, construct, extend, reconstruct, hold, maintain, operate and administer all works necessary for the transmission to and the transformation and distribution and supply of electrical power or energy in any such area;
- (b) distribute and supply electrical power or energy in any such area;
- (c) contract with any person, firm or corporation for the supply of electrical power or energy in any such area.

Deemed
rural
power.

- (4) Save as in this section provided, all other provisions in relation to rural power districts in this or any other Act shall apply to each such area and the distribution and supply of electrical power or energy therein.

Rev. Stat.
c. 57, s. 97,
subs. 2
amended.

9.—(1) Subsection 2 of section 97 of *The Power Commission Act* as amended by section 11 of *The Power Commission Act*,

1930.

1930, and subsection 2 of section 8 of *The Power Commission Act, 1931*, is repealed and the following substituted therefor:

- (2) Notwithstanding anything contained in *An Act respecting the City of Toronto*, passed in the first year of the reign of His Majesty, King George the Fifth, chaptered 119, in a city having a population of sixty thousand or over according to the last enumeration of the assessor, the corporation of which has entered into a contract with the Commission under this Act, the commission to be established for the control and management of the construction, operation and maintenance of all works undertaken by the corporation for the distribution and supply of electrical power or energy shall consist of three members, one of whom shall be the mayor of the city, one of whom shall be appointed by the municipal council of the city to hold office for two years and until his successor is appointed, and the third of whom shall be appointed by and shall hold office during the pleasure of the Commission.

Municipal
commission
—how com-
posed in city
of 60,000 or
over.

- (2) Subsection 3 of the said section 97 as enacted by subsection 3 of section 8 of *The Power Commission Act, 1931*, is repealed.

Rev. Stat.
c. 57, s. 97,
subs. 3
(1931, c. 13,
s. 8, subs. 3)
repealed.

- (3) Subsections 1 and 2 of this section shall have effect from the 1st day of August, 1934.

Subss. 1 and
2 retro-
active.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of
Act.

CHAPTER 55.

An Act to amend The Provincial Loans Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Provincial Loans Amendment Act, 1935.*

Rev. Stat.,
c. 23, s. 3,
amended.

2. Section 3 of *The Provincial Loans Act* is amended by adding thereto the following subsection:

Raising
loans for
refunding
purposes.

(1a) (a) The Lieutenant-Governor in Council is hereby authorized to raise money by way of loan in such manner and at such times as may be deemed expedient by the issue and sale of securities of one or more of the classes specified in subsection 1 of this section, in such amounts as will realize the net sum required for any or all of the following purposes:

(i) Payment, refunding or renewal from time to time of the whole or any part of any loan made or securities issued under the provisions of this or any other Act, notwithstanding that the issue of securities for such purpose may have the effect of increasing the amount of the public debt;

(ii) Payment of the whole or any part of any loan or of any liability or of any bonds, debentures or other securities, payment whereof is guaranteed or assumed by the Province of Ontario.

(b) A recital or declaration in the Order of the Lieutenant-Governor in Council authorizing the issue and sale of securities to the effect that the amount of the securities so authorized is necessary to realize the net sum required to be raised by way of loan shall be conclusive evidence of that fact.

Commence-
ment of
Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 56.

An Act to amend The Provincial Parks Act.

Assented to March 27th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Provincial Parks Amendment Act, 1935*. Short title.

2. Subsection 3 of section 21 of *The Provincial Parks Act* is repealed. Rev. Stat., c. 82, s. 21, subs. 3, repealed.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 57.

An Act to amend The Psychiatric Hospitals Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Psychiatric Hospitals Amendment Act, 1935.*

Rev. Stat.,
c. 354,
amended. **2.** *The Psychiatric Hospitals Act* is amended by adding thereto the following section:

Residents
of township
of York. 9a.—(1) Any person who is a resident of the township of York may be admitted to the Toronto Psychiatric Hospital in the manner prescribed by clauses *a* to *e* of subsection 1 of section 9, and any judge or magistrate having jurisdiction in the township of York shall have authority to issue the order required by clause *e* of subsection 1 of section 9.

When
admission
may be
refused. (2) The superintendent of the Toronto Psychiatric Hospital or the officer in charge of the admission of patients may refuse the admission of any person under this section when, in his opinion, there is not sufficient accommodation or when, in his opinion, the accommodation is sufficient only to provide for the admission of residents of the city of Toronto.

Application
of certain
provisions of
Act to
patients
from
township. (3) The provisions of subsection 5 of section 9 and of sections 11, 12 and 18 shall apply to the corporation of the township of York with respect to patients in the said hospital who are residents of the said township.

Application
of general
provisions of
Act, etc. (4) All the provisions of this Act and regulations not inconsistent with this section shall apply to any person admitted under this section.

Commence-
ment of
Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 58.

An Act to amend The Public Service Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Service Amendment Act, 1935*. Short title.

2. Sections 21, 22, 23 and 24 of *The Public Service Act* are repealed. Rev. Stat., c. 16, ss. 21, 22, 23, 24, repealed.

3. Section 32 of *The Public Service Act*, as amended by section 2 of *The Public Service Act, 1928*, and section 3 of *The Public Service Act, 1933*, is further amended by striking out sub-clause iii of clause b, and adding thereto the following subsections:

(2) There may also be granted from the Fund, to an employee whose services have been dispensed with, and who has served twenty-five years or more and has attained the age of forty-five years, or has served twenty years or more and has attained the age of fifty, or has served fifteen years or more and has attained the age of fifty-five, a compensation allowance based upon his average yearly salary during the last three years of his service, and which shall not exceed one-seventieth part of such annual salary, multiplied by the total number of years, and any fraction thereof, of continuous service; but no more than thirty years of service shall be reckoned, nor shall the yearly compensation allowance exceed \$1,500. Employees who may receive allowances.

(3) Subsection 2 shall take effect as from the 11th day of July, 1934. Subsection 2 retroactive.

(4) Where an employee who has been granted an allowance before reaching the age of seventy is re-employed by the Government his allowance shall be suspended Where re-employment occurs.

during

during the period of his re-employment, but such period of re-employment shall be counted in determining the allowance to which he is entitled at his final retirement.

When allowance is to be increased.

- (5) When a person receiving an allowance under subsection 2 attains the earliest age at which he would have been eligible for an allowance under clauses *a* and *c* of subsection 1, had he remained in the service, such allowance shall then be paid, but the period during which he is in receipt of an allowance under subsection 2 shall not be counted in determining his final allowance.

Allowances to widows and children.

- (6) The allowances to widows and children of persons who were in receipt of compensation allowances under subsection 2 shall be at the rate to which they would have been entitled had the employee died in the service.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 59.

An Act to amend The Public Vehicle Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Vehicle Amendment Act, 1935*. Short title.

2. Clause *c* of section 1 of *The Public Vehicle Act* is repealed and the following substituted therefor: Rev. Stat., c. 252, s. 1, cl. (c) re-enacted.

(c) "Public Vehicle" shall mean any motor vehicle operated on a highway by, for or on behalf of any person who receives compensation either directly or indirectly for the transportation of passengers, or passengers and express freight which might be carried in a passenger vehicle, but shall not include the cars of electric or steam railways running only upon rails, nor motor vehicles operated solely within the corporate limits of one urban municipality. "Public vehicle."

3.—(1) Subsection 1 of section 2 of *The Public Vehicle Act* is amended by striking out the word "public" where it occurs before the word "carrier" in the second line, so that the said subsection shall now read as follows: Rev. Stat., c. 252, s. 2, subs. 1, amended.

(1) No person shall conduct upon a highway by means of a public vehicle, the business of a carrier of passengers, or passengers and express freight, unless licensed so to do by the Department. License for public vehicles.

(2) Subsection 1*a* of the said section 2 as enacted by section 2 of *The Public Vehicle Act, 1934*, is repealed and the following substituted therefor: Rev. Stat., c. 252, s. 2, subs. 1*a* (1934, c. 49, s. 2), re-enacted.

(1*a*) No person shall solicit by means of advertising, or otherwise undertake to arrange the transportation of passengers by means of a vehicle operated on a highway by, for, or on behalf of any person who receives compensation, either directly or indirectly, for such Advertising by unlicensed persons prohibited.

transportation

transportation, unless the person by, for, or on behalf of whom the vehicle is operated is licensed under this Act.

Rev. Stat.,
c. 252, s. 18,
amended.

4. Section 18 of *The Public Vehicle Act* is amended by striking out the words "used in the transportation of persons or property as a common carrier for compensation," so that the said section shall now read as follows:

Maximum
working
hours for
drivers or
operators.

18. No person owning, controlling, operating or managing any public vehicle shall cause or allow any driver or operator of such public vehicle to work as driver or operator for more than a maximum of ten hours in any twenty-four hour period.

Commence-
ment of
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 60.

An Act to amend The Railway Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Railway Amendment Act*, Short title.
1935.

2. Subsection 2 of section 267 of *The Railway Act* is amended Rev. Stat.,
c. 224,
s. 267,
subs. 2,
amended. by inserting after the word "traffic" in the fourth line the words "other than passenger traffic," so that the said subsection shall now read as follows:

(2) Nothing in this section shall apply to any action Certain
actions
excepted. brought against the company upon any breach of contract, express or implied, for or relating to the carriage of any traffic other than passenger traffic or to any action against the company for damages under the provisions of this Act respecting tolls.

3. This Act shall come into force on the day upon which Commence-
ment of
Act. it receives the Royal Assent.

CHAPTER 61.

An Act for the Registration of Real Estate Brokers and Salesmen.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows;

Short title.

1. This Act may be cited as *The Real Estate Brokers Act, 1935*.

Interpretation.

2. In this Act,—

“Commission.”

(a) “Commission” shall mean the Ontario Securities Commission; 1933, c. 59, s. 34 (1).

“Company.”

(b) “Company” shall mean any incorporated corporation, association, or other organization; 1930, c. 40, s. 2 (a).

“Fraud.”

(c) “Fraud,” “fraudulent” and “fraudulent act” shall in addition to their ordinary meaning, include:

(i) any intentional misrepresentation by word, conduct or in any manner of any material fact either present or past, and any intentional omission to disclose any such fact;

(ii) any promise or representation as to the future which is beyond reasonable expectation and not made in good faith; *See* 1930, c. 39, s. 2 (c), subcls. (i), (ii) and 1930, c. 40, s. 7.

(iii) the failure, within a reasonable time, to account for or pay over to the person entitled thereto, any moneys received in respect of a trade in real estate;

(iv) acting as a broker or salesman for more than one party in respect of a trade in real estate without the knowledge of all other parties;
New.

(v)

- (v) any course of conduct or business which is calculated or put forward with intent to deceive the public or the purchaser or the vendor of any real estate as to the nature of any transaction or as to the value of such real estate;
- (vi) the making of any material false statement in any application, information, material or evidence submitted or given to the Commission, its representative or the Registrar under the provisions of this Act or the regulations;
- (vii) the violation of any provision of this Act or of the regulations relating to trading in real estate;
- (viii) generally any artifice, agreement, device or scheme, course of conduct or business to obtain money, profit or property by any of the means hereinbefore set forth or otherwise contrary to law and anything specifically designated in the regulations as coming within the meaning of this definition; *See* 1930, c. 39, s. 2, cl. (c), subcls. (v)-(viii) and 1930, c. 40, s. 7.
- (d) "Official" shall include the president, vice-president; secretary, treasurer, managing director, general manager, department and branch office managers, and all other persons acting in a similar capacity whether so designated or not; *New*.
- (e) "Person" shall mean an individual, partnership, association, syndicate and any unincorporated organization; 1930, c. 40, s. 2 (c).
- (f) "Prescribed" shall mean prescribed by this Act or the regulations; *New*.
- (g) "Real estate" shall include real property and leasehold; "Real estate."
- (h) "Real estate broker" shall mean every person or company trading in real estate for whole or part time, for another or others, and for compensation, gain or profit or hope or promise thereof, alone or through one or more officials or salesmen, and every person or company in any way holding himself or itself out as such, and shall include such officials of a company as may be prescribed; "Real estate broker."

- "Registrar." (i) "Registrar" shall mean the person appointed by the Lieutenant-Governor in Council to act as Registrar of the Commission under the provisions of this Act and the regulations;
- "Regulations." (j) "Regulations" shall mean the regulations made from time to time by the Lieutenant-Governor in Council under the provisions of this Act;
- "Salesman." (k) "Salesman" shall mean every person employed, appointed or authorized by any real estate broker to trade in real estate whether directly or through sub-agents, and shall include sub-agents;
- "Trade." (l) "Trade" or "trading" shall include any disposition of, transaction in, offer or attempt to dispose of real estate by sale, agreement of sale, exchange, purchase, option, lease, rental or otherwise, and any act, advertisement, conduct or negotiation directly or indirectly in furtherance of any of the foregoing, or specifically designated as "trade" or "trading" in the regulations. 1930, c. 40, s. 2 (*d-i*).

PART I.

REGISTRATION

Agents,
officials,
and
salesmen
register.

3.—(1) No person shall,—

- (a) trade in real estate unless he is registered as a real estate broker or salesman of a registered real estate broker;
- (b) act as an official of or on behalf of any partnership or company in connection with any trade in real estate by the partnership or company as a real estate broker, unless he or the partnership or company is registered as a real estate broker;
- (c) act as a salesman of or on behalf of any partnership or company in connection with any trade in real estate by the partnership or company as a real estate broker unless he is registered as a salesman of a partnership or company which is registered as a broker;

and such registrations have been made in accordance with the provisions of this Act and the regulations, and any violation of this section shall constitute an offence. 1930, c. 40, s. 3 (1).

(2) With the approval of the Commission, any partnership or company may be registered as a real estate broker whereupon the partnership or company may trade in real estate, and the members and officials of the partnership, and the officials of the company may act as such without separate registration, and the provisions of this Act and of the regulations relating to registered persons or companies, shall be deemed to apply to such partnership or company. 1930, c. 40, s. 3 (2); 1933, c. 59, s. 34 (2).

(3) No person who becomes a member or official of a partnership or an official of a company, after the partnership or company has been registered under subsection 2 shall trade in real estate until the partnership or company has received from the Registrar written permission for such person so to trade. *New.*

4. Registration shall not be required in respect of any trades in real estate by,—

- (a) any assignee, custodian, liquidator, receiver, trustee or other person acting under the provisions of the *Bankruptcy Act*, *The Companies Act*, *The Judicature Act*, the *Winding-up Act*, or to any person acting under the order of any court, or any executor or trustee selling under the terms of any will, marriage settlement or deed of trust; 1930, c. 40, s. 4 (a).
- (b) an isolated trade in real estate by or on behalf of the owner, for the owner's account, where such trade is not made in the course of continued and successive transactions of a like character, and is not made by a person whose usual business is trading in real estate; *New.*
- (c) any bank, or any loan, trust or insurance company trading in real estate owned or administered by such company; 1930, c. 40, s. 4 (c) *amended.*
- (d) any person in respect of any mine or mining property within the meaning of *The Mining Act* and in respect of the real estate comprised in any Crown grant or lease of a mining claim or mineral lands under *The Mining Act* or any Act for which the same is substituted; 1930, c. 40, s. 4 (d).
- (e) any person who carries on business as a solicitor of the Supreme Court when the trade is on a client's account; *New.*
- (f) any class of trades in real estate, or of real estate brokers or salesmen specifically exempted by the regulations. 1930, c. 40, s. 4 (f).

Partnership or company may be registered.

New officials must be approved.

Exemptions.

Judicial sales.

R.S.C., c. 11, Rev. Stat., cc. 218, 88, R.S.C., c. 213.

Isolated transactions.

Trades by banks, etc., in certain cases.

Mining property.

Rev. Stat., c. 45.

Solicitor.

Trades exempted by regulations.

Application to be upon forms with proper fees and bonds.

5.—(1) Every application under this Act or the regulations shall be made in writing upon the forms provided by the Registrar, and shall be accompanied by the prescribed fee and such bond as may be required.

Address for service.

(2) Every applicant, whether domiciled in Ontario or not, shall state in every application an address for service in Ontario, and all notices under this Act or the regulations and all legal process issued by or on behalf of any person or company shall be sufficiently served for all purposes if posted by registered mail to the applicant at the latest address for service so stated, and in the case of a non-registered company where the officials are registered to the latest address of the person registered as the senior official of such company in Ontario.

Further information.

(3) The Registrar may from time to time and shall when so directed by the Commission require any further information or material to be submitted by any applicant or any registered person or company within a specified time limit and may require verification by affidavit or otherwise of any matter then or previously submitted. *See* 1930, c. 39, s. 6 and 1933, c. 59, s. 34 (3).

\$500 bond by every applicant for registration as a broker.

6.—(1) Every applicant for registration as a broker shall before registration deliver a bond by the applicant or the person or company he represents as the Registrar may require, such bond to be in the sum of \$500 and in such form and upon such condition as shall be prescribed.

Bond by a surety company if required.

(2) The Registrar may and when so directed by the Commission shall require any applicant or any registered person or company within a specified time limit to deliver a bond by a surety company approved by the Commission or any other bond in such form and upon such condition as shall be prescribed and in such amount as the regulations or the Commission shall require.

New bond.

(3) The Registrar may and when so directed by the Commission shall require a new or an additional bond of the kind mentioned in subsection 1 or 2 to be filed within a specified time limit. *See* 1930, c. 39, s. 7 and 1933, c. 59, s. 34 (3).

Registration.

7. Unless the Commission otherwise directs, the Registrar may, if it appears that the application should be granted, issue a registration certificate, in such form as may be prescribed by the Registrar, whereupon the applicant shall be deemed to be registered as a broker or salesman as the case may be. *New.*

Registration certificate.

Expiration and renewal of registration.

8. Registrations shall expire on the 31st day of March in each year and every registered broker or salesman shall apply for renewal of registration on or before the 21st day of March,

giving

giving full particulars of any change in the facts set forth in the latest application form on record, and enclosing the proper fee as upon a first application. *New.*

- 9.—(1) The Commission may order that,—

Orders concerning applications.
- (a) any application for registration, renewal, or change of registration shall or shall not be granted for any reason which it may deem sufficient; or that

(b) the registration of any broker or salesman shall be suspended or cancelled for any reason which it may deem sufficient,

Suspension or cancellation by order of Commission.

and no order of the Commission shall be subject to review in any way in any Court.

(2) Notwithstanding any order of the Commission a further application may be made upon new or other material, or where it is clear that material circumstances have changed. *See* 1930, c. 39, s. 9 (1), (3) and 1933, c. 59, s. 34 (3).

Further application.

PART II.

FEES.

10. The following fees shall be paid to the Registrar:

Fees.
- (1) Fee for registration of a real estate broker who carries on business in a city or within five miles from the boundaries of a city having a population of 100,000.....

\$15.00

(2) Fee for registration of a real estate broker who carries on business other than in (1).....

5.00

(3) Fee for registration of a salesman.....

3.00

(4) Fee when salesman notifies the Registrar of change of employer.....

1.00

(5) Fee for renewal of registration; same fee as upon a first application.

(6) Alteration fee for every material change in registration.....

1.00

New.

11. The Registrar shall cause all cheques, money orders and postal notes to be deposited daily with the Treasurer of Ontario and the same shall form part of the Consolidated Revenue Fund. *New.*

Disposition of fees.

Refunds.

12. The Registrar shall where any application is refused make a refund to the applicant of the amount of the fee which accompanied the application, and in any other cases may make such proportionate refunds as seem fair and reasonable. *New.*

PART III.

INVESTIGATION AND ACTION BY THE COMMISSION.

Investigation by Commission.

13.—(1) The Commission, or any person or persons to whom as its representative or representatives it may in writing delegate such authority, may examine any person, company, property or thing whatsoever at any time in order to ascertain whether any fraudulent act, or any offence against this Act or the regulations has been, is being, or is about to be committed, and for such purpose shall have the same power to summon and enforce the attendance of witnesses and compel them to give evidence on oath and to produce documents, records and things as is vested in the Supreme Court or a judge thereof for the trial of civil cases, save that the provisions of rules of court or of law relating to the service of subpoenas upon and to the payment of conduct money or witness fees to witnesses shall not apply and save further that no person shall be entitled to claim any privilege in respect of any document, record or thing asked for, given or produced on the ground that he might be incriminated or exposed to a penalty or to civil litigation thereby and no evidence given shall be privileged except under *The Evidence Act* and the *Canada Evidence Act*, and save further that no provisions of *The Evidence Act* shall exempt any bank or any officer or employee thereof from the operation of this section.

Rev. Stat.,
c. 107;
R.S.C. c. 59.

Appointment of accountants and other experts.

(2) When the Commission or its representative is about to examine or is examining any person or company under this section, the Commission may appoint an accountant or other expert to examine documents, records, properties and matters and report thereon to it.

Failure to give information, etc., an offence and also *prima facie* evidence.

(3) The failure without reasonable excuse of any person or company to furnish information required by the Registrar under Part I within the time limited, or the failure without reasonable excuse of any person summoned for examination under subsection 1 to appear or his refusal to give evidence or to answer any question where the evidence or answer could be required in an action or the failure without reasonable excuse or refusal of any person or company to produce anything shall constitute an offence and shall also be *prima facie* evidence upon which,—

- (a) the Commission or its representative may base an affirmative finding concerning any fraudulent act to which it may deem it relevant, or
- (b) a police magistrate may base a conviction for an offence against this Act or the regulations.

(4) Disclosure by any person other than the Commission, its representative or the Registrar, without the consent of any one of them, of any information or evidence obtained or the name of any witness examined or sought to be examined under subsection 1 shall constitute an offence. *See* 1930, c. 39, s. 10 and 1933, c. 59, s. 34 (3). Evidence not to be disclosed.

14.—(1) The Commission may,—

- (a) when it is about to examine or during or after the examination of any person or company under the provisions of section 13, or
- (b) where criminal proceedings which in its opinion are connected with or arise out of any trade in real estate, or out of any business conducted by the accused are about to be or have been instituted against any person,

Commission may order funds, etc., to be held.

in writing or by telegram direct any person or company having in Ontario on deposit or under control or for safe keeping any funds or securities of the person or company so to be or actually examined, or charged, to hold such funds or securities or direct the person or company so to be or actually examined or charged to refrain from withdrawing any such funds or securities from any other person or company having any of them on deposit, under control or for safekeeping, or to hold all funds or securities of clients or others in his possession or control in trust for any interim receiver, custodian, trustee, receiver or liquidator appointed under the provisions of the *Bankruptcy Act*, *The Judicature Act*, *The Companies Act* or the *Winding-up Act*, or until the Commission in writing revokes such direction or consents to release any particular fund or security from such direction, and failure without reasonable excuse by any person or company to comply with any such direction shall constitute an offence, provided that in the case of a bank, loan or trust company the direction shall only apply to the offices, branches or agencies thereof named in the direction. R.S.C., c. 11, Rev. Stat., c. 88, 218. R.S.C., c. 213.

(2) Any person or company in receipt of a direction given under subsection 1, if in doubt as to the application of such direction to any funds or security, or in case of a claim being made thereto by any person or company not named in such direction, may apply to the Supreme Court or a judge thereof who may direct the disposition of such fund or security and may make such order as to costs as may seem just. Application for direction.

Notice to
Registrars
of Deeds or
Masters
of Titles.

(3) In any of the circumstances mentioned in clauses *a* or *b* of subsection 1, the Commission may in writing or by telegram notify any Registrar of Deeds or Master of Titles or any Local Master of Titles that proceedings are being or are about to be taken which may affect land belonging to the person or company referred to in the said notice which notice shall be registered against the lands mentioned therein and shall have the same effect as the registration of a certificate of *lis pendens*, save that the Commission may in writing revoke or modify such notice. See 1930, c. 39, s. 13 and 1933, c. 59, s. 34 (3).

PART IV.

FORFEITURES AND OFFENCES.

Forfeiture
of bonds.

15.—(1) Any bond mentioned in section 6 shall be forfeit and the sum named therein shall become due and owing by the person or company bound thereby as a debt to His Majesty in right of the Province of Ontario when the broker or salesman in respect of whose conduct the bond is conditioned, or any official of the broker has, in connection with a trade in real estate been,—

\$500 bond.

(a) in the case of the bond mentioned in subsection 1 of section 6

(i) charged with any criminal offence, or,

(ii) found upon investigation by the Commission or its representative to have committed a fraudulent act; or

Bond by
surety
company.

(b) in the case of the bond mentioned in subsection 2 of section 6

(i) convicted of a criminal offence, or

(ii) convicted of an offence against any provision of this Act or the regulations, or

(iii) a party to civil proceedings in the courts as a result of which final judgment has been given against such person, company or official in connection with a trade in real estate where such judgment is based upon a finding of fraud.

Forfeiture
upon bank-
ruptcy or
winding up
proceedings.

(2) Any bond mentioned in section 6 shall be forfeit and the sum named therein shall become due and owing by the

person

person or company bound thereby as a debt to His Majesty in right of the Province of Ontario when proceedings by or in respect of the broker or salesman in respect of whose conduct the bond is conditioned have been taken under the *Bankruptcy Act* or by way of winding up. R.S.C. c., 11.

(3) The Commission may assign any bond forfeited under the provisions of subsection 1 or 2, or may pay over any moneys recovered thereunder to any person, or to the accountant of the Supreme Court in trust for such persons and companies as may become judgment creditors of the person or company bonded, or to any trustee, custodian, interim receiver, receiver or liquidator of such person or company as the case may be, such assignment or payment over to be in accordance with and upon conditions set forth in the regulations or in any special order of the Lieutenant-Governor in Council. Assignment of bond or payment of moneys to creditors.

(4) The Commission whenever His Majesty becomes a creditor of any person or company in respect of a debt to the Crown arising from the provisions of sections 5, 6 and 15, may take such proceedings as it shall see fit under the *Bankruptcy Act*, *The Judicature Act*, *The Companies Act* or the *Winding-up Act* for the appointment of an interim receiver, custodian, trustee, receiver or liquidator as the case may be. *See* 1930, c. 39 s. 8 and 1933, c. 59, s. 34 (3). Bankruptcy proceedings, etc.
R.S.C.,
cc. 11, 213.
Rev. Stat.,
cc. 88, 218.

16. Every registered real estate broker shall keep proper books and accounts with respect to his trades in real estate and shall enter therein in the case of each trade the nature of the trade and,— Proper books and accounts to be kept by brokers.

- (a) a description of the parcel of real estate involved sufficient to identify it;
- (b) the true consideration for the trade;
- (c) the names of all parties to the trade; and
- (d) the amount of his commission and the party paying it;

and failure, without reasonable excuse, to comply with the provisions of this section shall constitute an offence. *New.*

17. Every registered real estate broker shall, as the Registrar may require, file a certificate satisfactory to the Registrar as to the financial position of the broker, signed by the broker or by two of the partners or officials thereunder and by an independent accountant, and failure without reasonable excuse to comply with the provisions of this section or the requirements of the Registrar thereunder shall constitute an offence. *New.* Financial statement to be filed with Registrar.

Certificate
of registra-
tion must be
displayed
by brokers.

18. Every broker shall keep the registration certificate displayed in a conspicuous place at the office of such broker. Any violation of this section without reasonable excuse shall constitute an offence. *New.*

Commission
not recover-
able if
agent not
registered.

19. No action shall be brought for commission or other remuneration for services as an agent in connection with a trade in real estate unless at the time of rendering such services the person or company bringing such action was registered or exempt from registration under this Act, and the court may stay any such action at any time upon summary application. 1930, c. 40, s. 9.

Promises
to resell
forbidden.

20. No real estate broker or salesman shall make any representation that he or any other person or any company will resell, or guarantee in any way to resell any real estate offered for sale by such broker or salesman, unless the maker of the representation at the time of making it, delivers to the person to whom the representation is made a letter, or photo-static copy thereof, from the real estate broker setting forth such representations in clear language, and any violation of this section shall constitute an offence. *New.*

Salesman's
change of
employer.

21. The registration of a salesman shall be suspended upon the termination of his employment with a registered real estate broker, of which termination both the employer and salesman shall at once notify the Registrar in writing and such suspension shall continue until another registered real estate broker has, in writing, notified the Registrar that the salesman is in his employ. *New.*

Changes in
registration.

22.—(1) Every registered real estate broker shall in writing notify the Registrar of

- (a) any change in the address for service;
- (b) any change in the officials or members in the case of a company or partnership; or
- (c) the commencement and termination of employment of every salesman.

(2) Every registered salesman shall, in writing, notify the Registrar of

- (a) any change in his address for service;
- (b) each commencement and termination of his employment by a registered real estate broker.

(3) Failure to comply with the provisions of this section shall constitute an offence. *New.*

23. Any salesman who trades in real estate on behalf of any real estate broker other than his employer, without the consent of the latter, confirmed in writing, shall be guilty of an offence. *New.* Salesman trading for other brokers.

24. Any person who commits a fraudulent act as defined by clause *c* of section 2 shall be guilty of an offence. *New.* Fraudulent acts an offence.

25.—(1) Every person, including any officer, director, official, or employee of a company, who is knowingly responsible for the violation of any provision of this Act or of the regulations designated as an offence, shall be liable upon conviction thereof under *The Summary Convictions Act* to a penalty of not more than \$1,000 for a first offence, nor \$2,000 for a second or subsequent offence, and in case of either a first or a subsequent offence either in default of payment of any penalty imposed, or in addition to such penalty, to imprisonment for a term not exceeding six months. Penalties. Rev. Stat., c. 36 (Dom.), Rev. Stat., c. 121.

(2) The provisions of subsection 1 shall be deemed to apply *mutatis mutandis*, to any company save that the money penalties may be increased in the discretion of the magistrate to a sum not exceeding \$25,000. Companies.

(3) No proceedings under this section shall be instituted except with the consent or under the direction of the Commission. *See* 1933, c. 59, ss. 33, 34 (3). Consent of Commission before action.

(4) No proceedings under this section shall be instituted except within two years after the offence is committed. *New.* Time for commencement of action.

PART V.

GENERAL PROVISIONS.

26. The Commission or the Registrar may, in respect of any matter of registration or investigation, confer with any committee appointed by any organization of real estate brokers to act as an Advisory Board. 1930, c. 40, s. 6 *amended.* Consultation with Advisory Board.

27. Any evidence or exhibit obtained by the Commission, or its representative or the Registrar under the provisions of this Act, or the regulations, or copies thereof, or statement that a person or company is or is not registered or other data concerning registration purporting to be certified by the Commission or the Registrar without proof of the office or signature of the person certifying, shall, so far as relevant, be receivable in evidence for all purposes in any action, proceeding or prosecution. *See* 1930, c. 39, s. 33 and 1933, c. 59, s. 34 (3). Evidence

Commission
not *persona*
designata.

28. The Commission or its representative shall in all proceedings under this Act or the regulations be deemed to be acting as the representative of His Majesty in the right of the Province of Ontario, and not as *persona designata*. See 1930, c. 39, s. 29 (2) and 1933, c. 59, s. 34 (3).

No action,
etc., against
persons
administer-
ing this Act.

29. No action whatever, and no proceedings by way of injunction, mandamus, prohibition or other extraordinary remedy shall lie or be instituted against any person whether in his public or private capacity or against any company in respect of any act or omission in connection with the administration or carrying out of the provisions of this Act or the regulations where such person is the Commission or its representative, or the Registrar, or where such person or company was proceeding under the written or verbal direction or consent of any one of them, or under an order of the Supreme Court or a judge thereof made under the provisions of this Act. See 1930, c. 39, s. 30 and 1933, c. 59, s. 34 (3).

Collection
of costs of
investi-
gation.

30. Where in consequence of an investigation under Part III of this Act, any person or company has been,—

- (a) convicted of a criminal offence; or
- (b) convicted of an offence against any provision of this Act or the regulations; or
- (c) examined and documents, records, properties or matters have been examined by an accountant or other expert appointed by the Commission,

the Commission may certify in writing as to the costs of the investigation and shall be entitled to take such proceedings as are available to a judgment creditor for the collection from such person or company of the sum set forth in such certificate, which sum shall be a debt to His Majesty in right of the Province of Ontario. See 1930, c. 39, s. 34 and 1933, c. 59, s. 34 (3).

Regulations.

31. The Lieutenant-Governor in Council may make, and from time to time amend, alter or repeal regulations not inconsistent with this Act,—

- (a) for the regulation of trading in real estate and of the records relating thereto;
- (b) for the furnishing of information by real estate brokers or salesmen to the public;
- (c) for the preparation and filing of financial statements of real estate brokers;

(d)

- (d) for defining offences against this Act or the regulations and imposing penalties therefor;
- (e) for the better carrying out of the provisions of this Act and for the more efficient administration thereof;
- (f) for any other purpose elsewhere indicated in this Act;

and all such regulations and any amendment, alteration or repeal thereof shall become effective in all respects as if enacted in this Act upon the publication thereof in the *Ontario Gazette*. 1930, c. 40, s. 8.

32.—(1) Where a police magistrate or justice of another province issues a warrant for the arrest of any person on a charge of violating any provision of *The Real Estate Brokers Act, 1935*, or any similar statute of that province, any police magistrate or justice of Ontario within whose jurisdiction that person is or is suspected to be may upon satisfactory proof of the hand-writing of the police magistrate or justice who issues the warrant make an endorsement thereon in the form prescribed, and a warrant so endorsed shall be sufficient authority to the person bringing the warrant and to all other persons to whom it was originally directed and to all police constables within the territorial jurisdiction of the police magistrate or justice so endorsing the warrant to execute it within that jurisdiction and to take the person arrested thereunder either out of or anywhere in Ontario and to rearrest such person anywhere in Ontario.

Execution of warrant issued in another province.

(2) Any police constable of Ontario or of any other province of Canada who is passing through Ontario having in his custody a person arrested in another province under a warrant endorsed in pursuance of subsection 1 hereof shall be entitled to hold, take and rearrest the accused anywhere in Ontario under such warrant without proof of the warrant or the endorsement thereof. See 1930, c. 39, s. 35 and 1933, c. 59, s. 34 (3).

Prisoner in transit.

33. Section 17 of *The Audit Act* shall apply in respect of any legislative appropriation for the administration of this Act. 1930, c. 40, s. 10.

Expenses.
Rev. Stat., c. 25.

34. *The Real Estate Brokers Act, 1930*, being chapter 40 of the Statutes of Ontario, 1930, and section 34 of *The Statute Law Amendment Act, 1933*, are hereby repealed.

1930, c. 40,
and 1933,
c. 59, s. 34,
repealed.

35. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

SCHEDULE I

PROVINCE OF ONTARIO

THE ONTARIO SECURITIES COMMISSION

THE REAL ESTATE BROKERS ACT, 1935

\$500.00 BOND

KNOW ALL MEN BY THESE PRESENTS that I/We.....
.....
.....of.....
.....

(hereinafter called "the Obligor") is/am/are (in the case of a partnership, jointly and severally) held and firmly bound unto His Majesty the King in the right of the Province of Ontario (hereinafter called "the Obligee") in the penal sum of Five Hundred Dollars to be paid to the Obligee, for which payment well and truly to be made, I, the Obligor, bind myself, my heirs, executors and administrators (in the case of a partnership, we, the Obligor, bind ourselves, our and each of our heirs, executors and administrators) (in the case of a company, the Obligor binds itself and its successors), firmly by these presents.

SEALED with my/our seal(s) and dated this day of 193 .

(In the case of a company, SEALED with the Seal of the Obligor, and dated this day of 193 .)

WHEREAS the Obligor has made application for registration as a broker, pursuant to the provisions of *The Real Estate Brokers Act, 1935*, and is required by the said Act to deliver a bond in the sum of Five Hundred Dollars for the purposes referred to in the said Act, in respect of the conduct of the Obligor; AND WHEREAS by the above written obligation the Obligor has entered into a bond accordingly.

NOW THE CONDITION of the above written obligation, so entered into in respect of the conduct of the Obligor, is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under any provision of the said Act, then the said obligation shall be void, but otherwise shall be and remain in full force and virtue and shall be subject to forfeiture as provided by the said Act.

SIGNED, SEALED AND DELIVERED }
(In the case of a company, THE }
SEAL OF THE SAID COMPANY WAS }
HEREUNTO AFFIXED) in the presence }
of }
..... }
..... }
Place seal(s) of Obligor opposite signature(s).

INSTRUCTIONS:

- (1) Insert the full name of the person, partnership or company making the bond, and, if a partnership, also the full names of the partners.
- (2) The full business address of a person or partnership must be stated, and, if a company, the address of its head office.
- (3) Alter the form accordingly as the Obligor is an individual, partnership or company.
- (4) Place seals and signatures at foot of bond only.

SCHEDULE II

PROVINCE OF ONTARIO

THE REAL ESTATE BROKERS ACT, 1935

(Insert name and full
address of Obligor).

KNOW ALL MEN BY THESE PRESENTS that.....
.....
(hereinafter called "the Obligor") is held and firmly bound unto His
Majesty the King in the right of the Province of Ontario, in the penal
sum of..... Dollars to be paid to
His said Majesty, his heirs, successors and assigns, for which payment
well and truly to be made, the Obligor binds itself and its successors, or
himself, his heirs, executors and administrators firmly by these presents.

SEALED with the Seal of the Obligor, and dated this day
of 193 ..

(Strike out what
does not apply)

WHEREAS.....
of..... in the Province of
Ontario has made application for registration or (is registered) as a (real
estate broker) or (salesman) pursuant to the provisions of *The Real Estate
Brokers Act, 1935*, and has been required pursuant to the said Act to
deliver a surety bond in the sum of..... Dollars
for the purposes referred to in the said Act, in respect of the conduct of
the said.....

AND WHEREAS by the above-written obligation the Obligor has at the
request of the said.....
entered into a bond accordingly.

NOW THE CONDITION of the above-written obligation, so entered into
in respect of the conduct of the said.....
is such that if the said obligation does not by reason of any act, matter
or thing at any time hereafter become or be forfeit under any of the pro-
visions of the said Act, then the said obligation shall be void, but otherwise
shall be and remain in full force and virtue, and shall be subject to
forfeiture as provided by the said Act.

PROVIDED that if the Obligor at any time gives two calendar months'
notice in writing to the Registrar of Real Estate Brokers of intention to
terminate the obligation hereby undertaken, then this obligation and all
liability on the part of the Obligor hereunder shall cease and determine
in respect only of any act, matter or thing taking place, arising or done
subsequent to the date named in the notice of the termination of the
obligation hereby undertaken, but shall remain in full force and effect
in respect of all acts, matters and things taking place, arising or done
from the date hereof to the date of such termination, and brought to the
attention of the Registrar within one year from the date of such termination.

SIGNED, SEALED AND DELIVERED

(In the case of a company, THE
SEAL OF THE COMPANY WAS HERE-
UNTO AFFIXED).

In the presence of

INSTRUCTIONS:

(1) Alter the form according as the Obligor is an individual or company.

(2) Blank space to right at the foot is for seal of Obligor and signature
of individual, and blank space to left at the foot is for signature of witness
to execution by individual, and for signatures of proper officers of company.

SCHEDULE III

ENDORSEMENT REQUIRED UNDER SECTION 32

Province of Ontario, }
County of }

WHEREAS satisfactory proof has this day been made before me that the name of *J.S.* to the within warrant subscribed, is of the handwriting of the Justice within mentioned, I do therefore hereby authorize *X.Y.* who brings to me this warrant and all other persons to whom this warrant was originally directed, and all police constables within my territorial jurisdiction, to execute the said warrant within my territorial jurisdiction, and to take the person named in the warrant before *J.S.* the justice within mentioned.

Given under my hand, this.....day of.....in the year 19...

*Magistrate, or Justice of the Peace
of the Province of Ontario.*

CHAPTER 62.

An Act to amend The Registry Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Registry Amendment Act*, Short title.
1935.

2. Section 80 of *The Registry Act* is amended by adding thereto the following subsection: Rev. Stat.,
c. 155, s. 80,
amended.

(13a) No plan of lands abutting upon the King's Highway or upon any road forming part of a county road system shall be registered unless it has been approved by the Minister of Highways. Minister of
Highways
to approve
certain
plans.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of
Act.

CHAPTER 63.

An Act respecting Relief Land Settlement.

Assented to April 18th, 1935.

Preamble.

WHEREAS under and by virtue of an agreement entered into the 31st day of May, 1934, between the Honourable Wesley A. Gordon, Minister of Labour, acting on behalf of the Government of Canada, and the Honourable William Finlayson, Minister of Lands and Forests, acting on behalf of the Province of Ontario, certain measures were adopted for the relief of certain families in the Province by placing them on suitable farms at an expense borne by the Governments of Canada and Ontario, and the participating municipalities; and whereas it is desirable to confirm the said agreement and otherwise to enact in respect of the said measures;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Relief Land Settlement Act, 1935*.

Agreement confirmed.

2. The agreement, a copy of which is set out in Schedule "A" hereto, dated the 31st day of May, 1934, made between the Honourable Wesley A. Gordon, Minister of Labour for Canada, acting on behalf of the Government of Canada, and the Honourable William Finlayson, Minister of Lands and Forests for Ontario, acting on behalf of the Government of the Province of Ontario, is declared to be valid and binding, and the Government of Ontario is and shall since the 1st day of April, 1934, be deemed to have been authorized to do all things, make all appropriations and enter into all agreements authorized and required to carry out the said agreement.

Agreements binding upon municipalities.

3. Every agreement heretofore or hereafter entered into between the Government of the Province of Ontario, represented by the Minister of Lands and Forests, and any municipality for carrying out the terms of the said agreement dated the 31st day of May, 1934, shall be valid and binding upon such municipality and the ratepayers thereof to all intents and purposes.

4.—(1) For the purpose of carrying out the provisions set out in the said agreement dated the 31st day of May, 1934, there shall be set aside out of the Consolidated Revenue Fund and applied, such sums from time to time as the Lieutenant-Governor in Council may direct. Funds to be set aside out of Consolidated Revenue Fund.

(2) The provisions of subsection 1 shall be construed as if the same had been in force and taken effect on and from the 1st day of April, 1934. Commencement of subs. 1.

5. The Lieutenant-Governor in Council shall have full power to make all such orders and regulations as may be deemed necessary to carry out the purposes and intent of this Act. Regulations.

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE "A"

Indenture of Agreement entered into this 31st day of May, A. D. 1934.

BETWEEN

THE GOVERNMENT OF THE DOMINION OF CANADA
(hereinafter called the "Dominion") represented
herein by the Honourable Wesley A. Gordon,
Minister of Labour,

OF THE FIRST PART;

—and—

THE GOVERNMENT OF THE PROVINCE OF ONTARIO
(hereinafter called the "Province"), represented
herein by the Honourable William Finlayson,

OF THE SECOND PART.

Whereas the *Relief Act, 1934*, provides, *inter alia*, that the Governor in Council may pay out of the Consolidated Revenue Fund such moneys as may be necessary to carry out the purposes of the said Act;

And whereas the Province desires to enter into an agreement under the provisions of the said Act;

And whereas it is proposed that the Dominion Government, the Provincial Government and the municipality concerned shall participate in the expenditure of relief moneys which would otherwise be expended in the form of direct relief for the purpose of assisting selected families to settle upon the land and thus contribute to their own maintenance and eventually become self-supporting;

Now therefore it is mutually agreed by and between the parties hereto as follows:

1. The Dominion shall contribute one-third of an amount not to exceed \$600.00 per family for the purpose of providing a measure of self-sustaining relief to families who would otherwise be in receipt of direct relief by placing such families on the land, the remaining two-thirds of

the expenditure to be contributed by the Province and the municipality concerned as may be decided between the Province and the municipality; the Dominion contribution to be non-recoverable expenditure.

Provided that in cases where the proposed settler is taken from a district or locality without municipal organization, the Province may pay in addition to the non-recoverable maximum contribution of \$200.00 from the Dominion, such sum as in the opinion of the Province may be necessary, but in no case shall the contribution made by the Province be less than the non-recoverable contribution of the Dominion.

2. The Dominion contribution shall be payable to the Province progressively as expenditures are made by the Province and municipality. The total expenditure on behalf of any one family during the first year shall not exceed \$500.00 for all purposes inclusive of subsistence and establishment, a minimum amount of \$100.00 to be withheld to provide subsistence if necessary during the second year.

3. The Dominion on the recommendation of the Province and with the approval of the Governor-in-Council may contribute as an additional non-recoverable expenditure one-third of an amount not exceeding \$100.00 in the case of a settler who may not be self-supporting at the expiration of the two-year period and for whom subsistence expenditure during the third year of settlement is deemed necessary; the remaining two-thirds of such expenditure to be contributed by the Province and municipality from which the settler was selected.

Provided that where the settler has been taken from a district without municipal organization, the Dominion and Province shall share equally in the subsistence expenditure that may be required during the third year, the total expenditure per family not to exceed \$100.00.

4. No part of the total expenditure referred to in the preceding sections of this agreement shall be for the purpose of acquiring or renting land.

5. All families who may be assisted under the terms of this agreement shall be residents of Canada and shall be selected from those who would otherwise be in receipt of direct relief. The selection of families shall be made without discrimination by reason of political affiliation, race or religious views.

6. The Province shall be responsible for administration of relief settlement including the location and inspection of suitable farms, the selection of suitable families who shall be physically fit and qualified in other respects. The Province shall be responsible for the disbursement of funds to the families assisted, and the expenses of such administration shall be paid by the Province, and no part of the cost of administration and supervision shall be deducted from the maximum amount of \$600.00 set aside for subsistence and settlement of each family.

7. The Province shall set up an advisory committee upon which shall be included representatives of the Dominion Land Settlement Branch, the Colonization Branch of the Canadian Pacific Railway Company, and the Colonization Branch of the Canadian National Railways.

8. The Province agrees to furnish to the Dominion from time to time a schedule, or schedules, approved by the advisory committee, setting forth a list of the families to be assisted with particulars as to the location in which they are to be settled.

9. Statements of accounts for expenditures made by the Province in respect to families assisted pursuant to the provisions of this agreement shall be submitted by the Province to the Commissioner of Unemployment Relief accompanied by certificate of the appropriate Provincial authorities that expenditures have been duly made in accordance with such statement, and such statements and certificates shall be in the form prescribed by the Commissioner of Unemployment Relief.

10. The number of families to which self-sustaining relief shall be provided under the terms hereof shall be such as may be agreed upon from time to time between the Minister of Labour and the Province.

11. The Commissioner of Unemployment Relief, or the Auditor-General, may at any time call upon the Province to furnish such information as he may require in relation to statement of accounts rendered by the Province.

12. Subject to approval by the Governor-in-Council, this agreement shall be effective from April 1st, 1934, to provide continuity of settlement with the former agreement which expired March 31st, 1934, and shall continue in force until March 31st, 1936.

In witness whereof the Honourable Wesley A. Gordon, Minister of Labour, has hereunto set his hand on behalf of the Dominion of Canada, and the Honourable William Finlayson has hereunto set his hand on behalf of the Province of Ontario.

Signed on behalf of the Government
of Canada by the Honourable
Wesley A. Gordon, Minister of
Labour,

In the presence of
"W. M. DICKSON."

"W. A. GORDON."

Signed on behalf of the Province of
Ontario by the Honourable Wm.
Finlayson, Minister of Lands
and Forests.

In the presence of
"EVA HARRISON."

"W. FINLAYSON."

CHAPTER 64.

The School Law Amendment Act, 1935.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The School Law Amendment Act, 1935*.

Rev. Stat.,
c. 322, s. 5,
subs. 1,
amended. **2.** Subsection 1 of section 5 of *The Department of Education Act* as amended by subsection 1 of section 2 of *The School Law Amendment Act, 1930*, section 3 of *The School Law Amendment Act, 1933*, and subsection 1 of section 2 of *The School Law Amendment Act, 1934*, is further amended by adding thereto the following clause:

Use of
schools for
practice
teaching. (zz) to make use of any public, separate, continuation, high or vocational school for the purposes of observation and practice teaching by teachers-in-training at any provincial teacher-training school or college.

Rev. Stat.,
c. 323, s. 62,
subs. 3,
cl. a
(1932,
c. 42, s. 8),
amended. **3.—(1)** Clause *a* of subsection 3 of section 62 of *The Public Schools Act* as re-enacted by section 8 of *The School Law Amendment Act, 1932*, is amended by inserting after the word "ratepayer" the words "whose taxes for school purposes are neither overdue nor unpaid," so that the said clause shall now read as follows:

Qualification
of trustees. (a) a resident ratepayer whose taxes for school purposes are neither overdue nor unpaid; or

Rev. Stat.,
c. 323, s. 62,
subs. 3,
cl. b
(1932,
c. 42, s. 8),
amended. (2) Clause *b* of subsection 3 of the said section 62 as re-enacted by section 8 of *The School Law Amendment Act, 1932*, is amended by adding at the end thereof the words "provided that all taxes for school purposes payable with respect to such farm are neither overdue nor unpaid," so that the said clause shall now read as follows:

Qualification
of trustees. (b) the husband, wife, son or daughter of a person assessed as the owner of a farm if resident on the farm with the

assessed

assessed owner, provided that all taxes for school purposes payable with respect to such farm are neither overdue nor unpaid.

(3) Subsection 1 of section 78 of *The Public Schools Act* as amended by subsection 1 of section 8 of *The School Law Amendment Act, 1933*, is further amended by striking out the words "except as provided in subsection 2" in the second and third lines so that the said subsection shall now read as follows:

Rev. Stat.,
c. 323, s. 78,
subs. 1,
amended.

(1) Where the office of trustee of a rural school section becomes vacant from any cause, the remaining trustees shall forthwith hold a new election to fill such vacancy in the manner provided for holding the annual election of trustees, and the person elected shall hold office for the remainder of the term for which his predecessor was elected.

Vacancy
in office of
trustee.

(4) Section 84 of *The Public Schools Act* is amended by adding thereto the following subsection:

Rev. Stat.,
c. 323, s. 84,
amended.

(2) If for any reason an urban board has not held its first meeting as provided by subsection 1 of section 82, or a rural board has not held its first meeting as provided by subsection 1 of section 83, the inspector may at any time call the first meeting of the board for such day, at such hour and at such place as he may determine.

In case of
delay
inspector
may call
first
meeting.

(5) Subsection 3 of section 109 of *The Public Schools Act* is amended by adding at the end thereof the words "and payment of sums to boards under this section shall not be made unless the salary of the teacher for the year, in each case, is at least \$500," so that the said subsection shall now read as follows:

Rev. Stat.,
c. 323, s. 109,
subs. 3,
amended.

(3) The sums so levied and collected shall be applied exclusively to teachers' salaries and payment of sums to boards under this section shall not be made unless the salary of the teacher for the year, in each case, is at least \$500.

Application
of township
grant to
teachers'
salaries.

(6) Subsection 1a of section 135 of *The Public Schools Act* as enacted by section 18 of *The School Law Amendment Act, 1933*, is repealed.

Rev. Stat.,
c. 323, s. 135,
subs. 1a
(1933,
c. 58, s. 18),
repealed.

4. Clause *a* of subsection 1 of section 6 of *The High Schools Act* is amended by inserting after the word "municipality" in the first line the words "or municipalities or for a part of a municipality or municipalities," so that the said clause shall now read as follows:

Rev. Stat.,
c. 326,
s. 6, subs. 1,
cl. a,
amended.

Establish-
ment and
discontinu-
ance of
high
schools.

- (a) for a municipality or municipalities, or for a part of a municipality or municipalities not separated from the county and the council of any county may in like manner, with the approval of the Lieutenant-Governor in Council, discontinue at the end of the current calendar year any high school district already established.

Rev. Stat.,
c. 321, s. 2,
subs. 9,
cl. a,
re-enacted.

5. Clause *a* of subsection 9 of section 2 of *The Teachers' and Inspectors' Superannuation Act* is repealed and the following substituted therefor:

Audit.

- (a) The costs and expenses of such audits and reports shall be paid by the Commission out of the Fund.

Commence-
ment of
Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 65.

An Act to amend The Statute of Frauds.

Assented to March 27th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Statute of Frauds Amendment Act, 1935*. Short title.

2. Section 11 of *The Statute of Frauds* is amended by Rev. Stat., c. 131, s. 11, striking out the words "separate from the sale agreement" in amended. the fifth line thereof.

3. This Act shall come into force on the day upon which Commence- it receives the Royal Assent. ment of Act.

CHAPTER 66.

The Statute Law Amendment Act, 1935.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Statute Law Amendment Act, 1935*.

Rev. Stat.,
c. 71, s. 22,
subs. 1, cl. c,
(1932,
c. 53, s. 7),
re-enacted. **2.** Clause *c* of subsection 1 of section 22 of *The Agricultural Societies Act* as re-enacted by section 7 of *The Statute Law Amendment Act, 1932*, is repealed and the following substituted therefor:

Distribution
of
provincial
grant.

(c) The remainder of the grant voted for agricultural societies shall be divided among societies other than new societies, in proportion to the amount they expended during the next preceding three years for agricultural purposes, as shown by their sworn statements, and as defined by section 20, and there shall not be included in such expenditure money used for the purchase or maintenance of pure bred stock, for the holding of spring stallion shows, spring bull shows, or combined spring stallion and bull shows, or for spring seed fairs.

Rev. Stat.,
c. 298, s. 1,
amended. **3.** Section 1 of *The Beach Protection Act* is amended by inserting after the words "Lake Huron" in the fourth line the words "Lake Superior."

1879,
c. 81, s. 10,
amended. **4.** Section 10 of the Act passed in the forty-second year of the reign of Her Late Majesty Queen Victoria, entitled *An Act to incorporate the Industrial Exhibition Association of Toronto* as amended by section 1 of an Act passed in the ninth year of the reign of His Majesty, King George the Fifth, entitled *An Act respecting the Canadian National Exhibition Association* is further amended by adding thereto the following subsection:

Honorary
directors.

(2) The directors shall also, in recognition of distinguished services to the Association, have full power to appoint such former directors as they deem advisable as honorary directors for life, and such honorary

directors

directors shall have all the rights, powers and duties of members of the Association, but shall not have the right to vote at meetings thereof.

5.—(1) Section 242 of *The Companies Act* is amended by adding thereto the following subsection: Rev. Stat., c. 218, s. 242, amended.

(3) Before the application is granted, the Superintendent shall prepare a report upon the application for the Lieutenant-Governor in Council. Superintendent to prepare report on application.

(2) Subsection 5 of section 243 of *The Companies Act* is repealed. Rev. Stat., c. 218, s. 243, subs. 5, repealed.

(3) *The Companies Act* is amended by adding thereto the following section: Rev. Stat., c. 218, amended.

243a.—(1) Where a company undertaking life insurance has insurance in force of less than \$25,000,000 and has a surplus to policy-holders in excess of \$500,000, the directors may pass a by-law authorizing an application to the Lieutenant-Governor for the issue of supplementary letters patent decreasing its authorized, subscribed and paid-in capital by not more than fifty per centum. Reduction of capital of life insurance companies.

(2) The expression "surplus to policy-holders" in subsection 1 means the surplus of assets over liabilities excluding capital stock shown in the annual statement of the company at the end of the next preceding calendar year as filed with and approved by the Superintendent of Insurance. "Surplus to policy-holders,"—meaning of.

(3) The by-law and the supplementary letters patent shall declare the new par value of the shares and the liability of the shareholders on partially paid-in shares. By-law and letters patent to declare new par value.

(4) The application shall not be made until the by-law has been confirmed by a vote of the shareholders present or represented by proxy, at a general meeting duly called for considering the same, and holding not less than two-thirds of the issued capital stock represented at such meeting. Application, when to be made.

(5) The supplementary letters patent shall contain a provision that any surplus created by reason of such decrease of capital shall not be decreased by dividends to shareholders which may be declared thereafter. Surplus not to be decreased by dividends to shareholders.

Rev. Stat.,
c. 218, s. 278,
subs. 1,
amended.

(4) Subsection 1 of section 278 of *The Companies Act* as amended by subsection 4 of section 6 of *The Statute Law Amendment Act, 1934*, is further amended by inserting after the word "located" in the fifth line the words "at least," so that the said subsection shall now read as follows:

Notice of
annual or
special
meeting.

(1) Notice of every annual, general or special general meeting of the corporation shall be sent by post to every shareholder and member and shall be published in a newspaper published at or near the place where the head office is located at least seven days previous to the day of the meeting.

Rev. Stat.,
c. 218, s. 278,
subs. 3
(1934,
c. 54, s. 6,
subs. 5),
amended.

(5) Subsection 3 of the said section 278 as enacted by subsection 5 of section 6 of *The Statute Law Amendment Act, 1934*, is amended by inserting after the word "shall" in the first line the words "at least," so that the said subsection shall now read as follows:

Annual
statement
to be sent to
members.

(3) The directors shall at least seven days prior to the date of the annual meeting, send to every member by post the annual statement for the year ending on the previous 31st day of December, which shall be certified by the auditors, and shall be in the form prescribed by the regulations passed pursuant to section 71 of *The Insurance Act*.

Rev. Stat.,
c. 222.

Rev. Stat.,
c. 218, s. 317,
subs. 1
(1928,
c. 32, s. 14),
amended.

(6) Subsection 1 of section 317 of *The Companies Act* as re-enacted by section 14 of *The Companies Act, 1928*, is amended by adding thereto the following clause:

Rever-
sionary
interests.

(dd) Reversionary interests involving life contingencies; provided that the assets of the reversion are permissible investments under this section and provided the purchase price shall be less than the value of the reversion based on the British Offices' Select Life Annuity Tables, 1893, with interest at three and one-half per centum per annum.

1928,
c. 33, s. 4,
subs. 1,
amended.

6.—(1) Subsection 1 of section 4 of *The Companies Information Act, 1928*, as amended by section 2 of *The Companies Information Act, 1931*, by subsection 2 of section 35 of *The Statute Law Amendment Act, 1932*, and by subsection 2 of section 31 of *The Statute Law Amendment Act, 1933*, is further amended by striking out the words "1st day of May" in the first line of the said subsection and inserting in lieu thereof the words "30th day of June," by inserting after the word "required" in the ninth line the words "together with the fee prescribed by order-in-council," and by striking out the words "31st day of March" in the tenth line and inserting in lieu thereof the words "1st day of May" so that the first paragraph of the said subsection shall now read as follows:

- (1) On or before the 30th day of June in each and every year without notice or demand to that effect, every corporation incorporated under the laws of Ontario, and every other corporation having its head or other office or doing business or any part thereof, in the Province of Ontario, shall unless a corporation liable to payment of tax under subsections 1 to 14 of section 3 of *The Corporations Tax Act*, or unless an insurer licensed under *The Insurance Act*, make out, verify and deliver to the Provincial Secretary as hereinafter required, together with the fee prescribed by order-in-council, a detailed return containing as of the 1st day of May next preceding, correctly stated, the following information and particulars:

Annual
return of the
corporation.

- (2) Subsection 2 of section 4 of *The Companies Information Act*, 1928, as amended by subsection 2 of section 35 of *The Statute Law Amendment Act*, 1932, is amended by striking out the word "May" in the fourth line and inserting in lieu thereof the word "July."

1928,
c. 33, s. 4,
subs. 2,
amended.

- (3) Subsection 4 of section 4 of *The Companies Information Act*, 1928, as amended by subsection 2 of section 35 of *The Statute Law Amendment Act*, 1932, is repealed.

1928,
c. 33, s. 4,
subs. 4,
amended.

- 7.—(1) Clause *b* of section 5 of *The Dog Tax and Sheep Protection Act* is amended by striking out the figure "3" in the third line and inserting in lieu thereof the figure "4", so that the said clause shall now read as follows:

Rev. Stat.,
c. 300, s. 5,
cl. b,
amended.

- (b) On payment of the license fee the owner shall be furnished with a dog tag and the provisions of subsections 1 and 4 as to keeping the tag securely fixed on the dog, and of subsections 2, 3 and 5 of section 4 shall apply.

Licensing
of dogs.

- (2) *The Dog Tax and Sheep Protection Act* is amended by adding thereto the following section:

Rev. Stat.,
c. 300,
s. 5,
amended.

- 6a. A by-law passed under the authority of this Act may impose penalties not exceeding \$50, exclusive of costs, upon every person who contravenes any such by-law and every such penalty shall be recoverable under *The Summary Convictions Act*.

Penalties.

8. The equalized assessment of the county of Essex upon which county rates for the year 1935 shall be levied shall be as set forth in the report of the special committee adopted by unanimous resolution of the council of the said county on the 31st day of January, 1935, and such equalization shall be legal and binding upon the said county and the municipalities forming the same, and the ratepayers thereof.

County of
Essex,—
equalized
assessment

Rev. Stat.,
c. 107, s. 2,
amended.

9.—(1) Section 2 of *The Evidence Act* is amended by adding at the end thereof the following words: “and in the case of oaths, affidavits, affirmations or declarations administered, sworn, affirmed or made under section 37 of this Act, to any matter for which the administering, swearing, affirming or making of such oath, affidavit, affirmation or declaration is required or permitted by any Statute of Ontario or under any rule made under the authority thereof or by any order, regulation or commission made or issued by the Lieutenant-Governor in Council under any law authorizing him to require the taking of evidence” so that the said section shall now read as follows:

Application
of Act.

2. This Act shall extend and apply to the evidence offered or taken orally or by interrogatories or affidavits or by the production of documents or things or otherwise by or before a court in an action, and in the case of oaths, affidavits, affirmations or declarations administered, sworn, affirmed or made under section 37 of this Act, to any matter for which the administering swearing, affirming or making of such oath, affidavit, affirmation or declaration is required or permitted by any Statute of Ontario or under any rule made under the authority thereof or by any order, regulation or commission made or issued by the Lieutenant-Governor in Council under any law authorizing him to require the taking of evidence.

Rev. Stat.,
c. 107, s. 37,
(1930,
c. 29, s. 2.)
amended.

(2) Section 37 of *The Evidence Act* as amended by section 2 of *The Evidence Act*, 1930, is further amended by adding thereto the following clause:

(m) in any Province of Canada before a commissioner authorized to administer oaths in the courts of such province or by a notary public or a justice of the peace having authority or jurisdiction in the place where the oath is administered.

Rev. Stat.,
c. 45, s. 165
(1930,
c. 8, s. 7),
repealed.

10. Section 165 of *The Mining Act* as re-enacted by section 7 of *The Mining Act*, 1930, is repealed.

1920,
c. 84, s. 19,
amended.

11. Section 19 of *The Municipal Housing Act*, 1920, is amended by adding thereto the following subsection.

Power to
amend terms
of agreement
for sale.

(3) A commission may with the approval of the director, amend the terms of any agreement for sale of property heretofore or hereafter entered into by it under the provisions of this Act, and with respect to property sold under any agreement which has been cancelled or determined may enter into new agreements for sale thereof, and the terms of any such amended or new agreements may be such as the director may approve.

12. Section 25 of *The Ontario Housing Act, 1919*, is amended by adding thereto the following subsection: 1919, c. 54, s. 25, amended.

- (3) A commission may, with the approval of the director, amend the terms of any agreement for sale of property heretofore or hereafter entered into by it under the provisions of this Act, and with respect to property sold under any agreement which has been cancelled or determined may enter into new agreements for sale thereof, and the terms of any such amended or new agreements may be such as the director may approve. Power to amend terms of agreement for sale.

13. Section 2 of *The Parole Act* as amended by subsection 1 of section 30 of *The Statute Law Amendment Act, 1933*, is further amended by striking out the word "five" in the third line and inserting in lieu thereof the words "not more than six" so that the said section shall now read as follows: Rev. Stat., c. 362, s. 2, amended.

2. For the purposes of this Act and of the said *The Prisons and Reformatories Act*, there is constituted a board to be known as the Board of Parole which shall be composed of not more than six persons to be appointed by the Lieutenant-Governor in Council, and notwithstanding that such board has heretofore been composed of only five members, every act, order and proceeding of such board shall be deemed to be and to have been valid, binding and effective. Board of Parole.

14.—(1) Subsection 1 of section 11 of *The Private Hospitals Act, 1931*, is amended by adding thereto the following clause: 1931, c. 77, s. 11, subs. 1, amended.

- (d) or a hospital licensed for the treatment of such other class or classes of patients in this Act and the regulations provided.

(2) *The Private Hospitals Act, 1931*, is amended by adding thereto the following section: 1931, c. 77, amended.

- 26a. With the approval of the Minister, a municipality may enter into an annual agreement with a private hospital respecting the admission and treatment of indigent persons and dependents of indigent persons in such municipality, and in such case the liability of the municipality to the private hospital shall be determined according to such agreement, and the Minister may terminate any such agreement at any time by thirty days' notice in writing under his hand to the parties thereto. Municipal agreements as to indigents.

1931,
c. 78, s. 2,
cl. i,
re-enacted.

15.—(1) Clause *i* of section 2 of *The Public Hospitals Act, 1931*, is repealed and the following substituted therefor:

"Patient."

- (i) "Patient" shall mean a person received and lodged in a hospital for the purpose of treatment, except that in section 40a "patient" shall include a person admitted to a hospital for the purpose of treatment and a person received and lodged in a hospital for the purpose of treatment.

1931,
c. 78, s. 34,
subs. 1, cl. a,
amended.

(2) Clause *a* of subsection 1 of section 34 of *The Public Hospitals Act* as amended by subsection 2 of section 16 of *The Statute Law Amendment Act, 1934*, is further amended by adding thereto the following words: "Provided that in either case the inspector shall have authority to extend payment up to an additional sixty days in any case where he deems further treatment to be essential," so that the said clause shall now read as follows:

Initial
indigent
rate of aid.

- (a) For treatment of every patient who is an indigent person or the dependant of an indigent person, other than a baby, as in paragraph *b* mentioned, at the rate of sixty cents per day for every day up to one hundred and twenty days that such patient is receiving treatment in a hospital except in the case of a hospital which under the regulations is classed as a convalescent hospital, payment shall be at the rate of thirty cents per day up to one hundred and twenty days, provided that in either case the inspector shall have authority to extend payment up to an additional sixty days in any case where he deems further treatment to be essential.

1931,
c. 78, s. 40a,
(1932,
c. 53, s. 39,
subs. 1),
amended.

(3) Section 40a of *The Public Hospitals Act* as enacted by subsection 1 of section 39 of *The Statute Law Amendment Act, 1932*, is amended by striking out the words "two years" in the sixth line and inserting in lieu thereof the words "six months," so that the said section shall now read as follows:

Limitation
of action.

- 40a. Any action against any hospital or any person for anything done or purporting to be done in pursuance of this Act brought by or on behalf of any person who has been admitted as a patient in such hospital and has been discharged therefrom shall be commenced within six months after his discharge.

1930, c. 17,
amended.

16. *The Sandwich, Windsor and Amherstburg Railway Act, 1930*, is amended by adding thereto the following section:

Pension
fund,—
confirmation
of.

- 5a.—(1) The provisions of subsection 1 of section 16 of *The Power Commission Act* shall apply and be

deemed

deemed to have applied to the employees of the railway, and the pension fund established for the benefit of such employees is hereby confirmed and declared to be legal and valid as if the same had been established under the provisions of the said section 16 of the said Act.

- (2) Notwithstanding that the Commission may have ceased to manage and operate the railway it shall continue to manage and administer the said pension fund under and according to the provisions of the said section 16 of the said Act and all payments to or out of the said pension fund shall be subject thereto and to any rules and regulations governing such fund. Power Commission to continue to manage pension fund.

17. Clause *c* of section 4 of *The Securities Act, 1930*, is repealed and the following substituted therefor: 1930, c. 39, s. 4, cl. c, re-enacted.

- (c) A trade where one of the parties is a bank to which *The Bank Act* applies, or loan corporation or trust company registered under *The Loan and Trust Corporations Act*, or insurance company licensed under *The Insurance Act*, or is an official or employee in the performance of his duties as such of His Majesty in right of the Dominion or any Province or territory of Canada, or of any municipal corporation or public board or commission in Canada, or is registered as a broker under the provisions of this Act. Banks, etc., Crown, municipal and public officials and registered persons, etc.

18. Subsection 1 of section 2 of *The Statute Labour Act* is amended by striking out the symbol and figure “\$5” in the fourth line and inserting in lieu thereof the symbol and figure “\$10”, so that the first four lines of the said subsection shall now read as follows: Rev. Stat., c. 239, s. 2, subs. 1, amended.

- (1) Councils of cities, towns, villages and townships may pass by-laws for levying and collecting an annual tax to be known as “poll tax” of not less than \$1 and not more than \$10 from every male inhabitant of the municipality who,— Poll tax.

.

19. Subsection 2 of section 2 of *The Statute Law Amendment Act, 1934*, is amended by striking out the figures “1934” in the third line and inserting in lieu thereof the figures “1935.” 1934, c. 54, s. 2, subs. 2, amended.

20. The Orders-in-Council bearing date respectively the 31st day of October, 1933, authorizing the execution of agreements dated the 7th day of December, 1933, between the corporation of the township of Teck and the Government of Township of Teck, debentures for unemployment and public school purposes.

the Province of Ontario respecting unemployment relief and public schools in the said township and debentures to be issued by the said corporation in respect thereto are hereby confirmed and declared to be and from the said 31st day of October, 1933, to have been legal and valid.

Rev. Stat.,
c. 227,
s. 102,
amended.

21. Section 102 of *The Telephone Act* is amended by adding thereto the following subsection:

Cancellation
of powers
of company.

- (2) The Board may by its order cancel and determine any of the rights, powers and privileges possessed by or conferred upon any company, under the authority of this Act, if such company violates the provisions of section 101 or this section, and may by its order prohibit such company carrying on business as a telephone company under this Act.

Rev. Stat.,
c. 150, s. 45,
amended.

22. Section 45 of *The Trustee Act* is amended by adding thereto the following subsection:

Survivor-
ship.

- (2) Until the appointment of new trustees, the personal representatives or representative for the time being of a sole trustee, or, where there were two or more trustees, of the last surviving or continuing trustee, shall be capable of exercising or performing any power or trust which was given to, or capable of being exercised by the sole or last surviving trustee.

Rev. Stat.,
c. 48, s. 1,
cl. f,
amended.

23.—(1) Clause *f* of section 1 of *The Well Drillers Act* is amended by adding at the end thereof the words “or water” so that the said clause shall now read as follows:

“Well.”

- (f) “Well” shall mean and include any well bored for oil or natural gas or water.

Rev. Stat.,
c. 48,
amended.

(2) *The Well Drillers Act* is amended by adding thereto the following section:

Certain
sections not
to apply to
wells drilled
for fresh
water.

16. Sections 6, 7, 8, 9, 10, 11, 12 and 13 shall not apply to wells drilled for fresh water for domestic or farm purposes or which do not penetrate the solid rock.

1933,
c. 111,
continued

24. Notwithstanding anything contained in *The Windsor, Essex and Lake Shore Railway Act, 1933*, the provisions of the said Act shall continue in force and have effect until the 30th day of June, 1936.

Commence-
ment of Act.

25. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 67.

An Act to amend The Succession Duty Act, 1934.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Succession Duty Amendment Act, 1935.* Short title.

2.—(1) Clause *f* of subsection 2 of section 6 of *The Succession Duty Act, 1934*, is amended by striking out the words “money received under a policy of insurance” in the first line and inserting in lieu thereof the words “money received, or payable at the time of a person’s death, or money representing the value of any future payments, ascertained as provided herein, as at the time of such death, under a policy of life, accident or sickness insurance,” and by striking out the words “effected by any person on his life” in the fourth line and inserting in lieu thereof the words “effected, contracted for or applied for by such person,” so that the said clause shall now read as follows:

(*f*) Money received or payable at the time of a person’s death, or money representing the value of any future payments, ascertained as provided herein, as at the time of such death, under a policy of life, accident or sickness insurance, whether such insurance is payable to or in favour of a preferred beneficiary within the meaning of *The Insurance Act* or not, effected, contracted for or applied for by such person, where the policy is wholly kept up by him for the benefit of any existing or future donee, whether nominee or assignee, or for any person who may become a donee, or a part of such money in proportion to the premiums paid by him, where the policy is partially kept up by him for such benefit.

(2) Subsection 2 of the said section 6 is amended by adding thereto the following clause:

Marriage settlements.

- (*k*) Any property transferred to or settled on or agreed to be transferred to or settled on any person or persons whomsoever, by a deceased person, in consideration of marriage, where such transfer or settlement or agreement was made on or after the 1st day of July, 1892.

1934, c. 55,
s. 6, subs. 4,
amended.

- (3) Subsection 4 of the said section 6 is amended by striking out the words "in respect of" in the second line and inserting in lieu thereof the word "on."

1934, c. 55,
s. 6, subs. 4,
cl. *c*,
amended.

- (4) Clause *c* of subsection 4 of the said section 6 is amended by adding at the end thereof the words "provided that this clause shall not apply to anything contained in clause *k* of subsection 2 of this section," so that the said clause shall now read as follows:

Property transferred for consideration.
Proviso.

- (*c*) actually and *bona fide* transferred for full consideration in money or money's worth paid to the transferor for his own use and benefit; provided that this clause shall not apply to anything contained in clause *k* of subsection 2 of this section.

1934, c. 55,
s. 7, subs. 1,
par. i, cl. *n*,
re-enacted.

- 3.—(1) Clause *n* of paragraph i of subsection 1 of section 7 of *The Succession Duty Act, 1934*, is repealed and the following substituted therefor:

(*n*) exceeds \$1,000,000 and does not exceed \$5,000,000—10 per centum plus 1/100 of one per centum for each full \$10,000 by which the aggregate value exceeds \$1,000,000;

(*o*) exceeds \$5,000,000—14 per centum.

1934, c. 55,
s. 7, subs. 3,
amended.

- (2) Subsection 3 of the said section 7 is amended by striking out the word "ten" in the first line and inserting in lieu thereof the word "fifteen."

1934, c. 55,
s. 9, subs. 1,
cl. *b*,
amended.

- 4.—(1) Clause *b* of subsection 1 of section 9 of *The Succession Duty Act, 1934*, is amended by inserting after the word "credit" in the fifth line the words "moneys on deposit in any bank, trust company office or office of any other institution," by striking out the word "him" in the eighth line and inserting in lieu thereof the words "such deceased person," and by inserting after the word "person" in the ninth line the words "or in which such deceased person had any beneficial interest," so that the said clause shall now read as follows:

Consent required for registered securities, etc.

- (*b*) Deliver, transfer, assign or pay, or permit any delivery, transfer, assignment or payment of any bonds, shares of stock, guaranteed investment certi-

ficates

ficates, company notes or other notes, receivables, credits or letters of credit, money on deposit in any bank, trust company office or office of any other institution, or any other securities or property whatsoever, belonging to a deceased person and standing in his name, or in his name and that of any other person, or held in trust for such deceased person, or for him and any other person, or in which such deceased person had any beneficial interest and which may be liable to duty in Ontario, or with respect to which there is a transmission within Ontario, whether such person died domiciled in Ontario or elsewhere;

(2) Subsection 7 of the said section 9 is amended by striking out the word "penalty" where it occurs the second time in the seventh line and inserting in lieu thereof the word "penalties," and by striking out all the words after the word "wilful" in the ninth line, so that the said subsection shall now read as follows:

1934, c. 55,
s. 9, subs. 7,
amended.

- (7) Any bank, trust company, insurance company or other corporation, or any person mentioned in this section, failing to comply with same, shall incur a penalty not exceeding the amount of duty payable to the Province in respect of any property dealt with in contravention of this section, or in respect of the transmission of such property, and shall, in addition, incur a penalty of \$1,000, but such penalties shall not apply when the Treasurer is satisfied that the contravention was not wilful.

Penalties.

5. Subsection 6 of section 10 of *The Succession Duty Act*, 1934, is amended by striking out the words "together with interest thereon at the rate of six per centum per annum" in the ninth and tenth lines, and by striking out the word "twenty-five" in the twelfth line and inserting in lieu thereof the words "one hundred," so that the said subsection shall now read as follows:

1934, c. 55,
s. 10, subs. 6,
amended.

- (6) If at any time it shall be discovered that any property was not disclosed upon the grant of letters probate or of administration, or the filing of the account, the person acting in the administration of such property, and the person who is liable for the duty payable under this Act, shall pay to the Treasurer the amount which, with the duty previously payable or paid on the property properly disclosed (or on the transmission thereof) shall be sufficient to cover the whole of the duty chargeable at the rates fixed by this Act, and shall at the same time pay to the Treasurer, as a penalty, a further sum of one hundred per centum

Property not
disclosed on
application
for probate,
etc.

of the duty chargeable on the property not disclosed (or on the transmission thereof) and shall also, within two months after the discovery of the omission, deliver to the surrogate registrar or the Treasurer an affidavit or account setting forth the property not so disclosed, and the value thereof, in default of which they shall each incur a penalty of \$10 for each day during which the default continues.

1934, c. 55,
s. 11, subs. 7,
repealed. **6.** Subsection 7 of section 11 of *The Succession Duty Act, 1934*, is repealed.

1934, c. 55,
s. 14, subs. 1,
amended. **7.**—(1) Subsection 1 of section 14 of *The Succession Duty Act, 1934*, is amended by striking out the word “lien” in the eleventh line and inserting in lieu thereof the words “first lien and charge.”

1934, c. 55,
s. 14,
amended. (2) The said section 14 is amended by adding thereto the following subsection:

Amount of
duty over-
paid may be
refunded in
certain cases.

(4a) The Lieutenant-Governor in Council, upon proof to his satisfaction that an overpayment of duty has been made in any estate, may refund the amount of such overpayment to the person entitled thereto, together with interest thereon at the rate of four per centum per annum from the date of the making of such overpayment to the date on which the amount of same is refunded; provided that no such refund shall be made in any given estate after the expiration of one year from the receipt by the Treasurer of an amount purporting to be in full settlement of the duty or the balance of the duty in such estate.

1934, c. 55,
s. 16,
repealed. **8.** Section 16 of *The Succession Duty Act, 1934*, is repealed.

1934, c. 55,
s. 22, subss.
1, 2, 3,
re-enacted. **9.**—(1) Subsections 1, 2 and 3 of section 22 of *The Succession Duty Act, 1934*, are repealed and the following substituted therefor:

Appoint-
ment of
commis-
sioner to
inquire into
estate.

(1) Whether or not any inventory as required by *The Succession Duty Act, 1934*, has been filed, and whether or not any property has been omitted from any such inventory, the Treasurer may appoint a commissioner or commissioners with full power to make all inquiries, examinations or investigations of any person who, it is alleged, is or has been in possession of any property passing on the death, or property deemed to be property passing on the death, of a deceased person within the meaning of *The Succession Duty Act, 1934*, or has or has had any knowledge or information respecting any such property, or is or has

been

been in possession, power or control of any book, bank-book, pass-book, bank account, deposit account with any trust company or other institution, record, entry, memorandum, instrument, evidence of title, or other documents or papers, of or relating to such property, and to examine, inspect or investigate any or all such books, bank-books, pass-books, bank accounts, deposit accounts, records, entries, memoranda, instruments, evidences of title or other documents or papers, in order to determine or to assist in determining what, if any, of such property or the transmission thereof, is or may be subject to duty under the provisions of *The Succession Duty Act, 1934*; to fix and settle the value of the property passing on the death or deemed to be passing on the death of a deceased person within the meaning of *The Succession Duty Act, 1934*, for the purposes of duty, and the amount of debts, deductions and other allowances and exemptions; to assess the cash value of every annuity, term of lease, term of years, life estate, income or other estate or interest in expectancy as provided by *The Succession Duty Act, 1934*, and to settle the amount of duty, and determine the persons liable therefor, and generally to make inquiry as to any matter or thing affecting or which in the opinion of the commissioner, might affect duty.

- (2) The commissioner shall, for the purposes of this section, have all the powers of a judge of the Supreme Court at the trial of an action, and all the powers which may be conferred upon a commissioner under *The Public Inquiries Act*, and shall also have power to require any such person to attend at a time and place designated, and to submit to examination under oath touching any such matters mentioned in subsection 1, and to require the production at such hearing, or otherwise upon oath, of all such books, bank-books, pass-books, bank accounts, deposit accounts, records, entries, memoranda, instruments, evidences of title or other documents as are mentioned in said subsection 1, such attendance or production, upon oath or otherwise, to be upon three days' notice in writing to be served in such manner and upon such persons as the commissioner may direct. Powers of commissioner.
- (3) The commissioner shall also have power, upon such examination or at any time whatsoever, whether or not an examination is pending, to make inquiries concerning: Further powers.

- (a) any property taken or alleged to have been taken, under a disposition, operating or purporting to operate as a gift *inter vivos*, whether by way of transfer, delivery, declaration of trust or otherwise, made since the 1st day of July, 1892;
- (b) the source of any property belonging to a beneficiary of a deceased person or in which such beneficiary had any beneficial interest whatsoever;

and the commissioner shall also, for the purposes of this subsection, have power to examine, inspect and make extracts from any book, bank-book, pass-book, bank account, deposit account with any trust company or other institution, record, entry, memorandum, instrument, evidence of title, or other documents or papers.

1934, c. 55,
s. 22,
amended.

(2) The said section 22 is amended by adding thereto the following subsection:

Other
persons
may be
authorized
to inquire.

- (13) The powers of a commissioner under this section may also be exercised by any other person or persons appointed or authorized by the Treasurer to act for the purposes of this section.

1934, c. 55,
amended.

10. *The Succession Duty Act, 1934*, is amended by adding thereto the following section:

Treasurer
may re-open
estates, etc.

25a.—(1) Notwithstanding anything in this Act or in any other Act contained, and notwithstanding that any officer or servant of the Crown shall have made at any time, any decision, whether of law or fact, or any ruling, valuation or settlement, or shall have given, at any time, any consent, receipt, discharge, certificate or other document in any matter which in any way relates to any estate or property or transmission, within the meaning of *The Succession Duty Act, 1934*, which may be subject to duty, and whether relating to the liability to duty, the valuation for purposes of duty, the rate of duty, the payment of interest, the extension of time for payment of duty, or otherwise, the Treasurer may, in such cases as may to him seem proper, re-open, revoke, revise, alter, recall or change any such decision, ruling, valuation, settlement, consent, receipt, discharge, certificate or other document and may deal with such matter, to the same extent as though such officer or servant had not so made such decision, ruling, valuation or settlement,

settlement, or so given such consent, receipt, discharge, certificate or other document.

- (2) Notwithstanding anything in this section contained, Exemption from penalty.
no executor or trustee, as such, who has previously transferred, in good faith, any of the property of a deceased person to the person beneficially entitled thereto, shall be liable to the penalty imposed by subsection 1 of section 17 of *The Succession Duty Act, 1934*.

11. This Act shall come into force on the day upon which it receives the Royal Assent, and the provisions of sections 5, 9 and 10 shall have effect as from the 1st day of July, 1892. Commencement of Act.
Ss. 5, 9 and 10 retro-active.

CHAPTER 68.

An Act for granting to His Majesty certain sums of money for the Public Service of the five months' period ending on the 31st day of March, 1935, and for the Public Service of the financial year ending the 31st day of March, 1936.

Assented to April 18th, 1935.

MOST GRACIOUS SOVEREIGN:

Preamble.

WHEREAS it appears by message from The Honourable Herbert Alexander Bruce, a Colonel in the Royal Army Medical Corps, F.R.C.S. (Eng.), Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the five months period ending the 31st day of March, 1935, and for the financial year ending the 31st day of March, 1936, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

\$436,867.20
granted for
period
ending 31st
March, 1935.

1. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Four hundred and thirty-six thousand eight hundred and sixty-seven dollars and twenty cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1934, to the 31st day of March, 1935, as set forth in schedule "A" to this Act.

\$48,519,768.11
granted for
fiscal year
1935-36.

2. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Forty-eight million five hundred and nineteen thousand seven hundred and sixty-eight dollars and eleven cents towards defraying the several charges and

expenses

expenses of the public service of this Province, not otherwise provided for, from the 1st day of April, 1935, to the 31st day of March, 1936, as set forth in schedule "B" to this Act.

3. Accounts in detail of all moneys received on account of this Province during the said five months period ending March 31st, 1935, and of all expenditures under schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1935-36 and of all expenditures under schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Accounts
to be laid
before
Assembly.

4. Any part of the money under schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of March, 1935, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Appro-
priations for
1934-35
unexpended
to lapse.

5. Any part of the money under schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of March, 1936, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Appro-
priations for
1935-36
unexpended
to lapse.

6. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Accounting
for
expenditure.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

SCHEDULE "A"

Sums granted to His Majesty by this Act for the five months period ending on the thirty-first day of March, one thousand nine hundred and thirty-five, to defray expenses of:

Prime Minister.....	\$ 1,349.35
Attorney-General's Department.	14,067.89
Hydro-Electric Power Commis- sion.....	164,070.94
Education Department.....	200.00
Public Works Department.....	120,243.02
Health Department.....	72,263.27
Public Welfare Department....	11,601.56
Municipal Affairs Department..	25,417.17
Provincial Treasurer's Depart- ment.....	25,000.00
Agriculture Department.....	2,654.00

Total estimates for expenditure of 1934-
1935.....\$ 436,867.20

SCHEDULE "B"

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of March, one thousand nine hundred and thirty-six, to defray expenses of:

Agriculture Department.....	\$1,986,453.00
Attorney-General's Department..	2,198,095.00
Education Department.....	8,903,634.00
Game and Fisheries Department..	482,375.00
Health Department.....	6,890,225.00
Highways Department.....	902,307.00
Hydro-Electric Power Commis- sion.....	146,000.00
Insurance Department.....	68,750.00
Labour Department.....	398,966.50
Lands and Forests Department..	2,167,362.61
Legislation.....	263,250.00
Lieutenant-Governor.....	7,200.00
Mines Department.....	264,875.00
Municipal Affairs Department..	79,650.00
Northern Development Depart- ment.....	3,708,450.00
Prime Minister's Department...	133,060.00
Provincial Auditor's Department	109,000.00
Provincial Secretary's Depart- ment.....	1,638,580.00
Provincial Treasurer's Depart- ment.....	453,780.00
Public Welfare Department.....	16,332,045.00
Public Works Department.....	1,078,210.00
Miscellaneous.....	307,500.00

Total estimates for expenditure of 1935-
1936.....\$48,519,768.11

CHAPTER 69.

An Act to amend The Surrogate Courts Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Surrogate Courts Amendment Act, 1935*.

Rev. Stat.,
c. 94,
amended.

2. *The Surrogate Courts Act* is amended by adding thereto the following section:

When security not required.

54a. It shall not be necessary for the Government of Ontario or any department thereof or any Provincial Commission or Board created under any Act of this Legislature to give any security for the due performance of its duty as executor, administrator, trustee, committee, or in any other office to which it may be appointed by order of the court or under the provisions of any statute.

Rev. Stat.
c. 94, s. 72,
re-enacted.

3. Section 72 of *The Surrogate Courts Act* is repealed and the following substituted therefor:

Power of
Lieut.-Gov.
in Council
as to,—

72.—(1) Notwithstanding the provisions of any other Act of this Legislature the Lieutenant-Governor in Council may:

Rules of
practice.

(a) Make rules for regulating the practice and procedure in the surrogate courts;

Fees of
Crown.

(b) Make rules and regulations regulating and fixing all fees payable to the Crown in respect of proceedings in such courts;

Fees of
solicitors.

(c) Prescribe a tariff of fees to be allowed to solicitors and counsel practising in such courts;

Forms.

(d) Prescribe forms for use in such courts.

Existing
rules, tariff
and forms.

(2) The existing rules, fees payable to the Crown, fees to be allowed to solicitors and forms, shall remain in

force

force until altered, amended or repealed as in subsection 1 provided.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 70.

An Act to amend The Temiskaming and Northern Ontario Railway Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Temiskaming and Northern Ontario Railway Amendment Act, 1935.*

Rev. Stat.,
c. 53, s. 2,
subs. 1,
re-enacted.

2.—(1) Subsection 1 of section 2 of *The Temiskaming and Northern Ontario Railway Act* is repealed and the following substituted therefor:

Commission,
—how
composed.

(1) The body corporate heretofore established under *The Temiskaming and Northern Ontario Railway Act* is continued and shall be composed of one or more persons appointed by the Lieutenant-Governor in Council, who shall hold office during pleasure.

Rev. Stat.,
c. 53, s. 2,
subs. 3,
repealed.

(2) Subsection 3 of the said section 2 is repealed.

Rev. Stat.,
c. 53, s. 4,
amended.

3. Section 4 of *The Temiskaming and Northern Ontario Railway Act* is amended by adding at the commencement thereof the words "Where the Commission is composed of more than one person" so that the said section shall now read as follows:

Chairman,
Vice-
Chairman.

4. Where the Commission is composed of more than one person the Lieutenant-Governor in Council may from time to time designate one of the Commissioners to be Chairman of the Commission and one of the Commissioners to be Vice-Chairman of the Commission.

Rev. Stat.,
c. 53, s. 5,
re-enacted.

4. Section 5 of *The Temiskaming and Northern Ontario Railway Act* is repealed and the following substituted therefor:

Travelling
expenses
and
honourarium.

5. The Chairman and each of the Commissioners shall receive his actual travelling expenses and other disbursements properly incurred in discharging his

duties,

duties, and such salary or remuneration, not exceeding \$9,000, as the Lieutenant-Governor in Council may direct.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of
Act.

CHAPTER 71.

An Act respecting Unemployment Relief.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Unemployment Relief Act, 1935.*

General powers of Lieutenant-Governor in Council.

2.—(1) The Lieutenant-Governor in Council shall have and shall be deemed to have had full power and authority respecting unemployment relief measures of every nature and kind, and to do and perform and to require the doing and performance of any act, matter, deed or thing as may from time to time appear necessary to cope with unemployment relief conditions.

Specific powers.

(2) Without restricting the generality of the foregoing, the Lieutenant-Governor in Council shall have and shall be deemed to have had full power and authority for the said purposes to,—

- (a)** enter into, carry out and perform agreements, undertakings and arrangements with the Government of Canada and with any municipality in Ontario;
- (b)** authorize the Government of Ontario either alone or in conjunction with the Government of Canada or any municipality to undertake, carry out and complete such works or other measures, or provide and furnish direct relief for the relief of unemployed persons and their dependants;
- (c)** provide and direct payment of the whole or any part of the cost of any relief works or measures and of direct relief undertaken, provided or furnished in Ontario by the Government of Ontario or the Government of Canada or by any municipality;
- (d)** contribute to the Government of Canada or to any municipality such proportion of the cost of any relief

works

works or measures and of direct relief undertaken by them or any of them;

- (e) require any municipality to undertake relief works or measures and provide direct relief for the relief of unemployed persons and their dependants actually residing therein;
- (f) require any municipality to provide and pay to the Government of Ontario the whole or any portion of the cost of any relief works or measures and of direct relief undertaken, provided or furnished by the said Government for the relief of unemployed persons and their dependants actually residing in such municipality;
- (g) make regulations with respect to relief works or measures and direct relief and the administration of unemployment relief, and as to the undertaking, provision, furnishing and cost thereof and as to the persons to be entitled to unemployment relief, and as to the powers, responsibilities and duties of municipalities in relation to unemployment relief and the undertaking of relief works or measures and the providing and furnishing of direct relief, and as to the provision and payment by municipalities of the whole or any part of the cost of relief works or measures and direct relief; and in other respects as may appear necessary or expedient.

3.—(1) Every agreement, undertaking or arrangement entered into or made under the authority of this Act, or purporting so to be, between the Government of Ontario and the Government of Canada or any municipality shall be legal and valid for all purposes, and if entered into or made with a municipality shall be binding upon the corporation and the ratepayers thereof. Validity of future agreements.

(2) All orders-in-council and regulations heretofore made or issued by the Lieutenant-Governor in Council under the authority of any Act respecting unemployment relief heretofore enacted by the Assembly, or purporting so to be made or issued are confirmed and declared to be and have been valid for all the purposes thereof, and in so far as the same have not been rescinded or superseded shall remain in full force and effect until the Lieutenant-Governor in Council shall otherwise determine. Validation of existing orders-in-council and regulations.

(3) All payments heretofore directed to be made and all payments made out of the Consolidated Revenue Fund for Validation of previous payments.

the purposes of unemployment relief and allowed by the Provincial Auditor are hereby confirmed and validated.

Validation
of orders-in-
council
authorizing
loans.

(4) The orders-in-council referred to in schedule "A" hereto are hereby confirmed and validated and declared to be and to have been legal and valid for all the purposes thereof and all liabilities heretofore or hereafter incurred and all securities heretofore or hereafter issued and hypothecated or sold under the authority of the said orders-in-council or any of them are hereby declared to be and to have been legal and valid.

Validation
of
agreements.

(5) All agreements heretofore entered into between the Government of Ontario and the Government of Canada or any municipality in relation to unemployment relief are hereby confirmed and validated.

Payment of
cost out of
Consolidated
Revenue
Fund.

4.—(1) The Lieutenant-Governor in Council may set aside and pay or direct payment out of the Consolidated Revenue Fund the sums or any of them required for the purpose of carrying out the provisions of this Act or of any order-in-council, regulation, order, agreement, undertaking or arrangement confirmed and validated thereby or issued or made under the authority thereof.

Loans for
relief
purposes.

(2) The Lieutenant-Governor in Council may raise by way of loan in such manner and at such times as he may deem expedient such sums of money as are or may be required for any of the purposes mentioned in this Act.

When loans
may be
made.

(3) The authority conferred by subsection 2 may be exercised either before or after expenditures or liabilities have been incurred or made for any of the said purposes.

Declarations
as to purpose
of loans
to be
evidence.

(4) A recital or declaration in any order-in-council issued under subsection 2 that the amount of the loan therein authorized is or will be required for any of the purposes mentioned in this Act shall be conclusive evidence of the fact.

Municipal
liability
to provide
relief.

5.—(1) Every municipality shall be liable to provide and shall provide for the relief of unemployed persons and their dependants actually residing in the municipality as may from time to time be required by any agreement, order-in-council or regulation made or issued under the provisions of this Act or confirmed and validated thereby.

Municipal
liability
for cost
of relief.

(2) Where the Government of Ontario and the Government of Canada or either of them has heretofore undertaken relief works or measures or provided direct relief or hereafter undertakes or provides the same for the relief of unemployed persons and their dependants actually residing in any munici-

pality,

pality, the corporation thereof shall pay or repay to the said Governments or Government, as the case may be, such proportion or the whole of the cost of such works or measures or direct relief as may be required by any agreement, order-in-council, or regulation made or issued under the provisions of this Act or confirmed and validated thereby.

(3) The Lieutenant-Governor in Council shall have and shall be deemed to have had authority to determine and fix the proportions or amounts which shall be contributed and made by the Government of Ontario and by any municipality to meet the cost of relief works or measures and direct relief undertaken or provided for the relief of unemployed persons and their dependants actually residing in such municipality.

Power to fix contributions to cost of unemployment relief.

6.—(1) For the purposes mentioned in this Act every municipality in addition to all power and authority now vested in it shall have and shall be deemed to have had for the purpose of taking advantage of and performing, observing and carrying out of the provisions of any Act of the Dominion of Canada or Province of Ontario, including this Act, or of any agreement, undertaking or arrangement entered into or made or any order-in-council, regulation, or order made or issued under the provisions of any of the said Acts, full power and authority in such behalf and for the undertaking of relief works or measures and providing direct relief.

Municipal powers in respect to relief.

(2) For the said purposes the council of a municipality shall have and shall be deemed to have had full power and authority to provide, impose, levy and collect taxes and to provide, appropriate, receive and pay out of any of the revenues and funds of the corporation such sums of money as may be required to meet and defray the cost of relief works or measures and direct relief or to pay any debentures and interest thereon heretofore or hereafter issued in respect thereto, or for contributing and paying to the Government of Canada and the Government of Ontario, or either of them, the whole or any portion of the cost of relief works or measures and direct relief undertaken or provided by such Governments or either of them and which cost or portion thereof the municipality is required to provide, pay or contribute to under the provisions of this Act or of any agreement, undertaking, arrangement, order-in-council, or regulation entered into, made or issued thereunder or confirmed and validated thereby.

Municipal taxation and payments.

(3) A relief work undertaken by a municipality may include or be a work undertaken beyond or extending beyond the limits of the municipality.

Work beyond municipal limits.

7.—(1) Subject as hereinafter provided, the council of the corporation of a municipality which has heretofore under-

Municipal relief debentures.

taken relief works or measures or provided direct relief or hereafter undertakes or provides the same or which hereafter contributes and pays the whole or any portion of the cost of any relief works or measures undertaken or direct relief provided by the Government of Canada and the Government of Ontario, or either of them, may issue debentures to defray the whole or any part of the cost of such work or measures or direct relief or of such contributions and payments.

Approval by
Municipal
Board.

(2) No by-law to provide for the issue of debentures for any of the purposes mentioned in subsection 1 shall be finally passed until the form of such by-law and the purpose, amount and term for which the debentures are to be issued have been approved by the Ontario Municipal Board.

Direct
relief
debentures
limited to
ten years.

(3) No debentures shall be issued under the authority of this section for defraying any part of the cost to the municipality of providing or contributing to and paying the cost of direct relief or any portion thereof for a term exceeding ten years.

Debentures
for
municipal
share only.

(4) No debentures shall be issued under the authority of this section in respect of any part of the cost of a relief work or measure or of providing direct relief which is or is to be defrayed or met ultimately by the Government of Canada and the Government of Ontario, or either of them or from receipt of voluntary contributions or any source other than taxation.

Local
improve-
ment
works.
Rev. Stat.,
c. 235.

(5) The provisions of this section shall be deemed to include a work which has been or is undertaken under *The Local Improvement Act*.

Validity of
by-laws and
debentures.

(6) A by-law of a municipality to provide for the issue of debentures passed or purporting to have been passed under the authority of this section which has been approved by the Ontario Municipal Board, and the debentures issued or to be issued thereunder shall not for their validity require the assent of the electors of the municipality qualified to vote on money by-laws, or observance of any other formality prescribed by *The Municipal Act*, and every such by-law and every debenture issued thereunder shall be indefeasible and legal, valid and binding upon the corporation and the taxpayers thereof notwithstanding any invalidity or irregularity therein or affecting the same.

Rev. Stat.,
c. 233.

Amendment
of by-laws.

(7) Any by-law passed with the approval of the said board may with the like approval be amended, and the provisions of this section shall apply to such amended by-law and to any debenture issued or to be issued thereunder.

Temporary
municipal
borrowings.

8.—(1) Pending payment to a municipality of that part of the cost of any relief work or measure or of direct relief which

is to be paid by the Government of Canada and the Government of Ontario, or either of them, or from voluntary contributions, or any source other than municipal taxation, the council of the municipality may by by-law borrow from time to time a sum or sums not exceeding in the aggregate the amounts of such contributions; provided that such borrowings shall be repayable immediately upon payment to the municipality of such contributions.

(2) Any amount borrowed under the authority of this section to the extent the same is repayable from the contributions mentioned in subsection 1 shall not be taken into account in ascertaining whether the limit of the borrowing power of a municipality provided for in section 334 of *The Municipal Act* has been reached.

General borrowing power not affected.

Rev. Stat., c. 233.

(3) The provisions of this section shall only apply to a municipality which makes provision for borrowing under the authority thereof separately and apart from any borrowings it may make for any other purposes of the municipality.

When section applicable.

9.—(1) Subject to the approval of the Lieutenant-Governor in Council, any municipality may as a relief work or measure undertake, directly or indirectly, the repair of dwelling houses and other tenements situated in the municipality and charge the whole or any portion of the cost of such repairs upon the lands upon which such dwelling houses or tenements are erected.

Dwelling repairs.

(2) The cost or such portion thereof as is to be chargeable against the land upon which a dwelling house or tenement repaired under the authority of this section is erected shall form part of the taxes upon such land and be payable in one or more years as the council may determine, and the amount of such cost or the annual instalment thereof shall be entered in the proper collector's roll and be collected with and as part of the taxes levied upon the land, and the provisions of *The Assessment Act* with respect to taxes upon real property shall apply thereto.

Levy of cost of repairs upon the land.

Rev. Stat., c. 238.

(3) Subject to the approval of the Lieutenant-Governor in Council, any municipality may as a relief work or measure undertake or participate in any scheme for abolition of slum areas or for housing in the municipality which may be inaugurated or aided by the Government of Canada or the Government of Ontario or by the municipality itself, and the provisions of this Act shall apply to expenditures of the municipality for such purpose.

Municipal housing and abolition of slum areas.

10.—(1) Notwithstanding the provisions of any general or special Act or of any by-law passed or agreement entered into by

Fixed assessments of factories not to apply to relief rates.

by a municipality to grant exemption from taxation or to fix the assessment or taxation of the lands of any person carrying on or proposing to carry on within the municipality any manufacturing business, any municipal taxation levied by such municipality for unemployment relief purposes or to pay the sinking fund or principal of or interest upon any debentures issued by such municipality for such purposes shall be levied upon the full rateable value of such lands and upon the business assessment thereof as if such by-law had not been passed or agreement entered into.

Application
of section.

(2) The provisions of this section shall apply with respect to any assessment to be taken or made or taxation to be levied and imposed after the time when this Act comes into force and shall not apply for the purposes of taxation in 1935 if the rates of taxation leviable under *The Municipal Act* for such year have been levied prior to such time.

Adminis-
tration of
Act by
Minister
of Welfare.

11.—(1) The administration of this Act shall be vested in the Minister of Public Welfare for Ontario.

Appoint-
ment of
relief
commission.

(2) The Lieutenant-Governor in Council may at any time appoint a Commission to administer this Act and unemployment relief in Ontario, which Commission shall be known as "The Ontario Relief Commission" and be composed of not more than five persons to be appointed by the Lieutenant-Governor in Council to hold office during his pleasure.

Powers and
duties of
commission.

(3) The said Commission when appointed shall exercise and perform such powers and duties in relation to unemployment relief as the Lieutenant-Governor in Council may from time to time determine.

Staff of
commission.

(4) The said Commission when appointed shall have for its purposes such officers, clerks and servants in the public service of Ontario or of any department of its Government as the Lieutenant-Governor in Council may from time to time determine and assign.

Salaries of
commission.

(5) The members of the said commission when appointed shall be paid such salaries or other remuneration and travelling and other disbursements and expenses as the Lieutenant-Governor in Council may authorize.

City of
Fort
William
by-law
confirmed.

12.—(1) By-law number 3397 passed by the council of the corporation of the city of Fort William on the 12th day of March, 1935, to amend by-law number 3348 passed by the said council on the 23rd day of January, 1934, as therein provided, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

(2) The mortgage and charge bearing date the 26th day of March, 1935, made between Fort William Sanatorium, therein called "the Sanatorium," the mortgagor of the first part, and The Royal Trust Company, therein called "the Trustee," the mortgagee of the second part, and registered in the office of Land Titles at Fort William on the 1st day of April, 1935, as number 10306 is hereby confirmed and declared to be, and to have been since the date thereof, legal, valid and binding upon Fort William Sanatorium and the members thereof and the real and personal property therein described according to its terms.

Fort
William
Sanatorium
mortgage
confirmed.

(3) The corporation of the city of Fort William is authorized to guarantee the payment of the principal and interest of the bonds of Fort William Sanatorium referred to in the said mortgage and charge in the aggregate amount of \$125,000 and when the said bonds are duly executed by Fort William Sanatorium and payment of the principal and interest thereof is guaranteed by the corporation of the city of Fort William as provided in the said by-law number 3348 as amended by the said by-law number 3397 and the said bonds are certified by The Royal Trust Company, as Trustee, in accordance with the provisions of the said mortgage and charge, they will be valid obligations of Fort William Sanatorium and binding upon Fort William Sanatorium and the corporation of the city of Fort William as maker and guarantor thereof respectively, and the validity of the said bonds may not be contested or questioned in any court on any ground whatsoever.

Issue and
guarantee
of
Sanatorium
bonds
confirmed.

13.—(1) For the purposes of this Act, the residence of any person or family shall be deemed to be the municipality or district where such person or family resided on September 1st, 1934, and in case a person or family has removed from the municipality in which such person or family was residing on September 1st, 1934, such municipality shall be liable for the direct relief of such person or family for twelve months after such removal, and after that period the municipality to which such person or family has removed shall be deemed to be the residence of such person or family and shall be liable for the direct relief of such person or family.

Residence
date.

(2) If a person or family removes from a municipality, where such person or family has residence, to another municipality in Ontario, the municipality to which such person or family has removed may claim from the municipality from which such person or family removed any amounts expended by it for the relief of such person or family during the twelve months next following the date of such removal, less such sums on account thereof which it may have received or be entitled to receive from any source other than its own taxation and the same may be recovered as a debt in any court of competent jurisdiction.

Recovery
between
municipi-
palities.

Future
expenditures.

(3) The date and period mentioned in subsection 1 shall as to future expenditures be extended or reduced accordingly as the same may be extended or reduced by any order-in-council hereafter issued under this Act for such purpose.

Recovery
by Province
from
muni-
cipalities of
moneys
payable.

14. Any moneys expended by the Government of Ontario which under the provisions of this Act or of any agreement, undertaking or arrangement, order-in-council or regulations entered into or made hereunder or confirmed and validated thereby which by the terms thereof are or should be payable or repayable to the said Government by a municipality shall be recoverable from such municipality as a debt due to the Crown in right of Ontario and may be sued for in any court of competent jurisdiction or may be deducted out of any moneys then or thereafter payable by the Province to such municipality under the authority of any Act.

Repeal of
1933, c. 65,
and
1934, c. 61.

15. *The Unemployment Relief Act, 1933, and The Unemployment Relief Act, 1934,* are repealed.

Commence-
ment of
Act.

16. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

Order-in-Council dated October 25th, 1934.....	\$10,000,000.
Order-in-Council dated November 29th, 1934.....	7,000,000.
Order-in-Council dated November 29th, 1934.....	5,000,000.
Order-in-Council dated June 18th, 1934.....	5,000,000.
Order-in-Council dated August 23rd, 1934.....	5,000,000.
Order-in-Council dated May 22nd, 1934 (fully registered debenture).....	4,500,000.

CHAPTER 72.

An Act respecting Victoria Hospital, London.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Victoria Hospital London Act, 1935*.

Agreement
with
University
confirmed.

2. The agreement between the Board of Governors of the University of Western Ontario and the Board of Hospital Trustees of the City of London, a copy of which is set out in the schedule to this Act, is hereby declared to be valid and binding on the parties to it and they are hereby respectively authorized and required to carry out and observe the provisions and agreements on their part which it contains.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

AGREEMENT made the 12th day of April in the year One thousand nine hundred and thirty-five.

BETWEEN:

THE BOARD OF GOVERNORS OF THE UNIVERSITY OF
WESTERN ONTARIO, hereinafter called the University,

—and—

THE BOARD OF HOSPITAL TRUSTEES OF THE CITY
OF LONDON, hereinafter called the Trustees.

This Agreement witnesseth that it is agreed by and between the parties hereto in manner following:

1. In this Agreement "Hospital" shall mean the Victoria Hospital, London.

2. The provisions of this Agreement shall be effective for a term of ten years from January 15th, 1934.

3. There shall be a Medical Advisory Board which shall consist of the Heads of the various medical services of the Hospital, the Dean of the Medical School and of not more than four additional members elected either by the Medical Staff of the Hospital or by the Western Ontario Academy of Medicine, as the Trustees may designate.

4. There shall be a Joint Relations Committee of the Hospital and the University which shall be composed as follows:

The Chairman of Victoria Hospital Board of Trustees;
The Provincial Government representative on the Hospital Trust;
The County of Middlesex representative on the Hospital Trust;
Chairman of the Board of Governors of the University;
Chairman of the Medical School Committee of the Board of Governors of the University;
President of the University;
Dean of the Medical School of the University.

5. The Joint Relations Committee shall consider matters of mutual interest to the Hospital and the University that may arise from time to time.

6. The Trustees shall make appointments to the Attending Staff of the Hospital annually on the recommendation only of the Board of Governors of the University and subject to the approval of the Joint Relations Committee or a majority thereof. In making appointments to the Attending Staff of the Hospital regard shall be had to the previous training and record of the appointee, his capacity to render service to the sick in the Hospital, his scientific attainments, his teaching capacity and his likelihood of professional development.

7. The Trustees shall make appointments of Internes of the Hospital on the recommendation of the Medical Advisory Board.

8. In making appointments to the Staff sex shall be no bar.

9. No remuneration shall be given by public ward patients to individual members of the Clinical Attending Staff.

10. Subject to the regulation of the Trustees, members of the Medical Profession of the City of London who are not on the Staff of the Hospital shall have the privilege of attending patients in private and semi-private rooms.

11. All public ward patients shall be under the care and control of the Heads of the Clinical services and at the discretion of such heads shall be available for the clinical instruction of the Students of the Medical Faculty of the University.

12. According to professional courtesy generally prevailing, doctors not on the staff of the Hospital may, in consultation with the Head of the Service concerned, visit patients referred by them to the public wards in the Hospital.

13. The following shall be the services in the several departments of the Hospital:

- (a) In Medicine, one service, to be increased to two or three co-ordinate services as necessity arises;
- (b) In Surgery, one service, to be increased to more as necessity arises;
- (c) In Obstetrics and Gynaecology, one service, to be increased to more as necessity arises;
- (d) In Ophthalmology, Otology, Rhinology and Laryngology, one service, to be increased to more as necessity arises;
- (e) In Pathology and Bacteriology, one service, to be increased to more as necessity arises;
- (f) In Clinical Pathology, one service;
- (g) In Anaesthetics, one service;
- (h) In Paediatrics, one service;
- (i) In Radiology, one service.

14. Each of the services in the several departments shall be under a head with such associates and assistants as may be found necessary.

15. The several services in all clinical departments shall be so organized as to include both indoor and outdoor patients and the heads of such services shall be responsible for all such patients.

In witness whereof the parties hereto have caused to be hereunto affixed their respective Corporate Seals.

Signed, sealed and delivered in the presence of

(Seal)

G. A. WENIGE,
For the Board of Hospital Trustees.

Attest as to signature of G. A. Wenige:

K. G. GRAY.

THE UNIVERSITY OF WESTERN ONTARIO BOARD OF GOVERNORS.

ARTHUR W. WHITE,
Vice-Chairman.

WALTER JAMES BROWN,
Executive Secretary.

Attest as to signatures of Arthur W. White and

Walter James Brown:

B. T. MCGHIE.

(Seal)

CHAPTER 73.

An Act to amend The Wages Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Wages Amendment Act*, Short title. 1935.

2. Subsection 1 of section 7 of *The Wages Act* is amended by striking out all the words after the word "exceeds" in the fifteenth line and inserting in lieu thereof the words "the sum of \$2.50 for each working day represented by the wages seized or attached and that a portion of such debtor's wages not exceeding the sum of \$2.50 for each working day represented by the wages seized or attached shall in all cases be exempt from seizure or attachment," so that the subsection shall now read as follows:—

- (1) Seventy per centum of any debt due or accruing due to any mechanic, workman, labourer, servant, clerk or employee for or in respect of his wages shall be exempt from seizure or attachment, provided, however, that if a creditor of any such mechanic, workman, labourer, servant, clerk or employee, who has initiated proceedings by way of seizure or attachment of the wages of any such mechanic, workman, labourer, servant, clerk or employee, desires to contend that having regard to the nature of the debt and the circumstances of the debtor, it is unreasonable that as much as seventy per centum of such debtor's wages should be exempt, the judge may, upon a hearing of the matter reduce the percentage of exemption herein allowed in any particular case, and provided further, that this section shall only apply where the amount of such exemption exceeds the sum of \$2.50 for each working day represented by the wages seized or attached and that a portion of such debtor's wages not exceeding the sum of \$2.50 for each working day represented

Rev. Stat.,
c. 176, s. 7,
subs. 1,
amended.

Extent of
exemption
from seizure
or
attachment.

by the wages seized or attached shall in all cases be exempt from seizure or attachment.

Commence-
ment of
Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 74.

An Act to amalgamate the City of East Windsor, the Town of Walkerville, the City of Windsor and the Town of Sandwich.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The City of Windsor (Amalgamation) Act, 1935.* Short title.

2. In this Act,—

Interpre-
tations.

- (a) "Amalgamated municipalities" shall mean East Windsor, Walkerville, Windsor and Sandwich; "Amalgamated municipalities."
- (b) "East Windsor," "Walkerville," "Windsor" and "Sandwich" shall respectively mean the municipality and corporation of the city of East Windsor, the town of Walkerville, the city of Windsor and the town of Sandwich; "East Windsor, etc."
- (c) "Finance commission" shall mean The Windsor Finance Commission constituted under this Act; "Finance commission."
- (d) "Municipal Board" shall mean the Ontario Municipal Board; "Municipal Board."
- (e) "New city" shall mean the municipality and corporation of the city of Windsor incorporated under the provisions of this Act by the amalgamation of East Windsor, Walkerville, Windsor and Sandwich. "New city."

3.—(1) East Windsor, Walkerville, Windsor and Sandwich and the inhabitants of them respectively are hereby amalgamated into and shall be and form one municipality, municipal corporation and body corporate under the name of "The Corporation of the City of Windsor," hereinafter referred to as the new city. Amalgamation and incorporation of new city.

Area and
confines
of new city.

(2) The area and confines of the new city shall be and include all the lands and territories which at the time of the passing of this Act formed, comprised and confined the amalgamated municipalities and shall extend to the boundary of the Province in the River Detroit in prolongation of the outlines of the new city, and the new city shall also include all the islands, the whole or the greater part of which, are comprised within the said outlines so prolonged.

When
amalgamation
effective.

4.—(1) Subject as herein provided, the amalgamation and incorporation of the new city shall take effect for the purposes hereinafter mentioned at the time of the passing of this Act, and for all purposes on the 1st day of July, 1935, provided that the affairs of the amalgamated municipalities shall until the 1st day of January, 1936, continue to be administered as if they had remained as separate and several municipalities and municipal corporations to such extent and for such purposes as the finance commission may deem requisite, but on the said date each of them shall then be dissolved and cease to exist, and the new city shall take their place.

When
amalgamation
may be
deferred.

(2) If for any reason it becomes imperative that the said amalgamation and incorporation of the new city be deferred until some date in 1935 subsequent to the 1st day of July, the Lieutenant-Governor may by his Proclamation defer the same until such date as the Proclamation may provide, but in any event the said amalgamation and incorporation shall for all purposes take place not later than the 1st day of January, 1936.

Tenure
of office.

(3) The councils and local boards of the amalgamated municipalities and the members thereof shall remain in office until such day as the Lieutenant-Governor shall by his Proclamation provide.

Constitution
of finance
commission.

5.—(1) Forthwith after the passing of this Act there shall be constituted a finance commission to be known as "The Windsor Finance Commission" to be composed and to have and exercise the functions, powers and duties hereinafter provided.

Three
members.

(2) The finance commission shall be composed of three persons, all of whom shall in the first instance be appointed by the Lieutenant-Governor in Council to hold office during pleasure, one of them being an owner of real property in one of the amalgamated municipalities rated upon the last revised assessment roll for not less than \$2,000, and one of them being appointed to represent holders of debentures of the amalgamated municipalities.

(3) The Lieutenant-Governor in Council shall designate Chairman. which one of the members of the finance commission shall be the chairman.

(4) A quorum of the finance commission shall be two Quorum. members thereof.

(5) From and after the election of the first council of the new city the mayor for the time being of the new city shall, *ex officio*, be a member of the finance commission in the place and stead of the property owning member appointed in the first instance by the Lieutenant-Governor in Council. Mayor *ex officio* member of commission.

6.—(1) The finance commission with respect to the*amalgamated municipalities and each of them, and to their local boards, and to the new city shall have and exercise the same rights, authorities, powers and duties as by the provisions of Part III of *The Department of Municipal Affairs Act, 1935*, are conferred upon the said department and the provisions of the said Part III shall apply to the said amalgamated municipalities and to the new city and to the said local boards, and the finance commission shall also have the rights, powers and duties conferred upon it by this Act. Finance commission general powers and duties as under Part III of Department of Municipal Affairs Act.

(2) The finance commission shall appoint a finance comptroller who shall be the chief executive officer of the finance commission, and of the amalgamated municipalities and the new city. He shall hold office during the pleasure of the finance commission. Appointment of finance comptroller.

7. The finance commission shall forthwith after taking office: Duties of finance commission.

- (a) undertake or cause to be undertaken the preparation and making of the assessment rolls of the new city for the year 1936, so that the same is completed by the 1st day of August, 1935; Assessment roll.
- (b) cause to be undertaken the preparation of the voters' list for the new city for the purpose of the election of the first council and local boards; Voters' list.
- (c) undertake the preparation and submission of a plan for funding and refunding the debts of the amalgamated municipalities, upon the general basis that the debt of each of the amalgamated municipalities shall be discharged by the imposition of rates upon the rateable property in that area of the new city which formerly comprised such municipality; Refunding scheme.

(d)

Polling
subdivisions

- (d) fix the polling subdivisions into which the new city is to be divided so that the same are determined in time for the election of the first council and local boards;

Adminis-
tration
system.

- (e) prepare the administration system for the new city so that it shall be in effective operation on the 1st day of July, 1935, or so soon thereafter as may be;

Estimates
for 1936.

- (f) prepare the estimates of revenues and expenditures for 1936 for the new city and every local board thereof so that the same will be effective from the 1st day of January, 1936;

By-law
revision.

- (g) revise and consolidate the by-laws of the amalgamated municipalities for the purposes of the new city;

Other
matters.

- (h) do or cause to be done all such other matters, acts, deeds and things as may be necessary or incidental to the amalgamation provided for in this Act.

Wards.

8. The new city shall be divided into five wards to be composed as determined by the finance commission and approved by the Municipal Board.

Council.

9.—(1) The council of the new city shall be composed of a mayor to be elected by general vote, and of ten aldermen to be elected, two for each of the five wards of the new city.

Term of
office.

(2) The mayor and aldermen shall each hold office for a term of two years, provided that at the first election all the members of Council shall be elected to hold office only until the 1st day of January, 1937. At the annual election held for the year 1937 of the two aldermen elected for each ward the one elected by the highest number of votes shall hold office for two years and the other shall hold office for one year. Thereafter at each succeeding annual election the one alderman to be elected for each ward shall hold office for two years.

Board of
Education.

10.—(1) The Board of Education for the new city shall be composed of seven members, five of whom shall be elected, one for each of the wards of the new city, by the vote of the electors, who are public school supporters and two of whom shall be appointed by the separate school board for the new city.

Term of
office.

(2) The elected members of the board shall hold office for a term of two years and shall be elected biennially. The two members appointed by the separate school board shall be

appointed

appointed annually by the said board at its first meeting in every year, provided that the members first elected and appointed to the board shall hold office until the 1st day of January, 1937.

11. The separate school board for the new city shall be composed of five members, one to be elected for each of the five wards, and to hold office for a term of two years, provided that the members first elected to the board shall hold office until the 1st day of January, 1937.

Separate
school
board.

12.—(1) The Essex Border Utilities Commission shall be dissolved on the 1st day of July, 1935, or at such later date in 1935 as the Lieutenant-Governor in Council may by his Proclamation provide, and in the place and stead of the said commission there shall be established and substituted a commission to be known as "The Windsor Utilities Commission" which shall have and exercise all the powers, functions and duties of the Essex Border Utilities Commission under the special and general Acts relating to and governing or affecting the said commission.

Windsor
Utilities
Commission
to take the
place of
Essex
Border
Commission.

(2) The Windsor Utilities Commission shall be composed of the mayor of the new city who shall hold office, *ex officio*, and four members to be appointed by the council of the new city who shall hold office for the term of four years, provided that the first appointed members shall hold office until the 1st day of January, 1937, and that of the four members first appointed by the council after the 1st day of January, 1937, two of them shall be designated to hold office for four years and two of them to hold office for two years. Thereafter two members shall be appointed biennially to hold office for four years.

Composition
of com-
mission.

(3) To protect and serve the rights and interests of the municipalities of Riverside, LaSalle, Ojibway, Sandwich East and Sandwich West in the undertakings of the Essex Border Utilities Commission there shall be established by the Municipal Board such committee of the Windsor Utilities Commission as may appear necessary, and in relation to the said rights and interest the committee shall have and exercise such powers and duties as the Municipal Board may from time to time prescribe, and in case of any dispute between such committee and the Windsor Utilities Commission the matter shall be determined by the Municipal Board, the decision of which shall be final and conclusive and binding upon the new city, the said mentioned municipalities and the said commission and committee.

Rights of
other
muni-
cipalities
provided
for.

(4) The said Committee shall be composed of five members, three of whom shall be members of the said commission

Composition
of
committee.

appointed

appointed annually by it and the other two of whom shall be appointed annually by the councils jointly of the said municipalities at such time and in such manner as the Municipal Board may direct.

Parks and
libraries
to be under
the council.

13. The council of the new city shall have the management and control of all parks and play grounds, and of all public libraries in the new city, in the place and stead of a board of park management and public library board.

Vocational
school
to be under
board of
education.

14. The board of education for the new city shall have vested in it the ownership, management, control and maintenance of the Windsor-Walkerville Vocational School in the place and stead of the Windsor-Walkerville Vocational School Board, which from the 1st day of January, 1936, shall be dissolved and cease to exist.

Board of
health.

15.—(1) The Windsor Utilities Commission shall appoint a local board of health for the new city to be composed of five members, one to represent each of the five wards of the new city and to be a resident in the ward which he represents.

Metropolitan
hospital and
Metropoli-
tan Isolation
hospital.

(2) The local board of health shall have the management, control and maintenance of the Metropolitan Hospital and the Metropolitan Isolation Hospital.

Water and
hydro
systems to
be vested in
utilities
commission.

16. The management, control and operation of the undertakings of the Essex Border Utilities Commission and of waterworks systems and hydro electric systems of the amalgamated municipalities and of the new city shall be vested in the Windsor Utilities Commission, and from the date of the establishment of such commission the waterworks commissions and hydro commissions of the amalgamated municipalities, including the Walkerville-East Windsor Water Commission, shall be dissolved and cease to exist.

Adjustment
of assets.

17.—(1) The finance commission shall as soon as may be after it takes office,—

Amalga-
mated
municipi-
palities.

(a) determine and adjust all the assets of the amalgamated municipalities among them upon such basis that each of them shall be credited equitably in respect thereto when such assets become vested in the new city or in the local board thereof which shall exercise jurisdiction over the same;

County and
Sandwich.

(b) in conjunction with the council of the County of Essex, determine and adjust assets and liabilities as between the said county and Sandwich in respect to the separation of Sandwich from the said county;

(c)

- (c) in conjunction with the council of the county of Essex, adjust and determine all matters between the said county and any of the amalgamated municipalities other than Sandwich, and between the said county and the new city; Other matters with the county.
- (d) in conjunction with the council of any other municipality affected, adjust any assets and liabilities which by reason of the creation of the new city it is requisite or desirable be adjusted. Matters with other municipalities.

18. From and after the 1st day of January, 1936, or such later date as may be proclaimed under this Act, Sandwich and the area and territory composing the same shall be separated from and shall no longer form part of the county of Essex for municipal purposes. Separation of Sandwich from the county.

19. Any dispute which may arise with respect to the adjustment of assets and liabilities or other matters referred to in section 17 shall be determined by the Municipal Board, and its decision shall be final and conclusive. Disputes to be dealt with by Municipal Board.

20. Upon and from the final incorporation of the new city all the assets of the amalgamated municipalities shall be vested in and become the property of the new city, and all the assets of the several public school boards and boards of education of the amalgamated municipalities and of the Windsor-Walkerville Vocational School Board shall be vested in and become the property of the board of education of the new city and all the assets of the several separate school boards of the amalgamated municipalities shall be vested in and become the property of the separate school board of the new city. Vesting of assets in new city and its boards.

21. The assets of the Essex Border Utilities Commission and of the several waterworks commissions and hydro commissions and of the Walkerville-East Windsor Water Commission shall on and from the date of final incorporation of the new city be vested in and become the property of the Windsor Utilities Commission for and on behalf of the new city. Vesting of assets in utilities commission.

22.—(1) The first election of the council, board of education and separate school board of the new city shall be held on such day in 1935 as the Lieutenant-Governor in Council upon the recommendation of the finance commission may appoint. First election in new city.

(2) For the purposes of such election the finance commission shall appoint the times and places at which the new election and the nomination meetings therefor shall be held and the returning officer, deputy returning officers and poll clerks who shall hold such elections. Provision for election and nominations.

Staff of
finance
commission.

23.—(1) The finance commission may appoint such officers, clerks and servants as may be necessary for its purposes, and shall fix their salaries and that of the finance comptroller.

Salaries of
commission.

(2) The salaries or other remuneration of the members of the finance commission shall be fixed by the Lieutenant-Governor in Council.

Salaries
and
expenses,—
how borne.

(3) The salaries and expenses of the members of the finance commission and of the finance comptroller and of its staff shall for the year 1935 be paid by the amalgamated municipalities in such proportions, manner and at such times as the finance commission may determine.

Miscel-
laneous
matters.

24. The Municipal Board may for the purpose of effecting the amalgamation provided for by this Act and of fully effectuating and carrying into effect the provisions of this Act and the incorporation and functioning of the new city do and authorize to be done such things as may be necessary or incidental thereto, and for such purpose may make rules and regulations and issue orders and directions in respect to any matters not specifically provided for in this Act, and every such rule, regulation, order and direction shall be valid and binding upon the amalgamated municipalities and all persons affected thereby as if enacted by this Act.

Application
of general
and special
Acts.

25. Subject as provided in this Act, the provisions of the general statutes in respect to municipal institutions and affairs and to schools and school boards and to utility commissions, and of any special Acts respecting the amalgamated municipalities or any of them shall apply to the new city and the local boards thereof.

Commence-
ment of
Act.

26. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 75.

An Act to amend The Workmen's Compensation Act.

Assented to April 18th, 1935.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Workmen's Compensation Amendment Act, 1935.* Short title.

2. Section 56 of *The Workmen's Compensation Act* is repealed and the following substituted therefor: Rev. Stat., c. 179, s. 56, re-enacted.

56. Subject to section 57 each commissioner shall after the 15th day of October, 1934, hold office during the pleasure of the Lieutenant-Governor in Council. Tenure of office of Commissioners.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

PART II
PRIVATE ACTS

Chapters 76 to 100

CHAPTER 76.

An Act respecting Algoma Steel Corporation,
Limited.*Assented to April 18th, 1935.*

WHEREAS Algoma Steel Corporation, Limited (incor- Preamble.
porated 1934), has offered to purchase the assets described in a certain offer to purchase dated December 19th, 1934, and referred to in Schedule "A" to this Act, from The Toronto General Trusts Corporation as successor trustee under a certain Indenture of Mortgage or Deed of Trust (known as and hereinafter called the "First and Refunding Mortgage") referred to in Schedule "B" to this Act and dated the 1st day of April, 1912, which said offer has been accepted by the said trustee; and whereas the sale contemplated by the said Offer to Purchase has been sanctioned, authorized, approved and directed by at least two-thirds in value of the holders of the bonds secured by the First and Refunding Mortgage and has been sanctioned and directed by a judgment of the Supreme Court of Ontario, dated the 12th day of February, 1935, referred to in Schedule "C" to this Act; and whereas in respect to a portion of the said assets the First and Refunding Mortgage is second in priority to a certain Indenture of Mortgage or Deed of Trust (known as and hereinafter called the "Purchase Money Mortgage") referred to in Schedule "D" to this Act, of which mortgage The Trusts and Guarantee Company, Limited, is now successor trustee, to secure an issue of Purchase Money Five Per Cent. Bonds, which said Purchase Money Bonds and mortgage are collateral to an issue of First Mortgage and Collateral Trust Five Per Cent. Gold Bonds of the said The Lake Superior Corporation, and all of which said Purchase Money Bonds are held by the trustee under a certain mortgage, known as the Collateral Trust Indenture, securing the said issue of First Mortgage and Collateral Trust Five Per Cent. Gold Bonds of the said The Lake Superior Corporation; and whereas at least two-thirds in value of the holders of the said First Mortgage and Collateral Trust Five Per Cent. Gold Bonds have requested that the trust estate referred to and described in the said Purchase Money Mortgage be vested in the said Algoma Steel Corporation, Limited (incorporated 1934), and that in lieu and in substitution therefor 26,390 five per cent. preference shares of the said Algoma Steel Corporation, Limited (incorporated 1934), be

issued to and held by the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid; and whereas W. C. Franz, Sir William E. Stavert and John A. McPhail are now receivers and managers of the undertaking, property and assets of the Algoma Steel Corporation, Limited (incorporated 1907), under the authority of orders of the Supreme Court of Ontario; and whereas the said Algoma Steel Corporation, Limited (incorporated 1934), has by its petition prayed for special legislation in respect of the matters hereinbefore and hereinafter set forth; and whereas it is expedient in order to re-establish the steel industry at Sault Ste. Marie in this Province to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Algoma Steel Re-establishment Act, 1935*.

Authority for acquisition of Steel Corporation assets.

2. The acquisition and purchase by Algoma Steel Corporation, Limited (incorporated 1934), in the action in the Supreme Court of Ontario in which the said The Toronto General Trusts Corporation, as trustee as aforesaid, is plaintiff and the said Algoma Steel Corporation, Limited (incorporated 1907), and the said The Lake Superior Corporation are defendants, of the trust estate described in the said First and Refunding Mortgage (including all property and assets of every kind in the custody or control of the receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), and the judgment in the said action dated the 12th day of February, 1935, and more particularly referred to in Schedule "C" to this Act, in so far as the provisions thereof are not in conflict with the terms of this Act, are hereby ratified and confirmed and declared to be valid and binding upon the persons therein named and the said Algoma Steel Corporation, Limited (incorporated 1934), the said receivers and managers, the said The Toronto General Trusts Corporation, as trustee as aforesaid, the holders of the said First and Refunding Bonds and Chartered Trust and Executor Company, Liquidator of Algoma Steel Corporation, Limited (incorporated 1907), are hereby authorized and empowered to do and perform all acts, matters and things and to execute and deliver all documents necessary or desirable to complete such acquisition and purchase and to carry out the terms of the said judgment.

Issue of shares as substitutional trust estate.

3. Algoma Steel Corporation, Limited (incorporated 1934), is authorized to issue 26,390 of its preference shares of a par

value

value of \$100 each to the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, and the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, is authorized to accept the said preference shares in substitution for and in lieu of the trust estate described in the said Purchase Money Mortgage (including all property and assets of every kind in the custody or control of the said receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), and the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, the said receivers and managers, the said Algoma Steel Corporation, Limited (incorporated 1934), are authorized to do all acts or things necessary or desirable to complete such substitution.

4. All the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), (including all property and assets of every kind in the custody or control of the said receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), are hereby vested in Algoma Steel Corporation, Limited (incorporated 1934), free and clear of the charge thereon of the receivers' certificates issued by the said receivers and managers and of the trusts of the said First and Refunding and Purchase Money Mortgages and of any equity of redemption.

Vesting of
properties
of Steel
Corporation.

5. This Act shall be binding upon The Toronto General Trusts Corporation, as trustee as aforesaid; the holders from time to time of the First and Refunding Bonds of Algoma Steel Corporation, Limited, issued in pursuance of the said First and Refunding Mortgage dated the 1st day of April, A.D. 1912; The Trusts and Guarantee Company, Limited, as trustee as aforesaid and the holders from time to time of the said Purchase Money Bonds of Algoma Steel Corporation, Limited, issued in pursuance of the said Purchase Money Mortgage dated the 1st day of April, A.D. 1912; the Liquidator of Algoma Steel Corporation, Limited (incorporated 1907); the said receivers and managers; and Algoma Steel Corporation, Limited (incorporated 1934); and all persons having any interest in the said undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907).

Application
of Act to
certain
interests.

6. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

Commence-
ment of Act.

SCHEDULE "A"

The Assets referred to—

- (a) The "mortgaged premises" referred to and described in the First and Refunding Mortgage of Algoma Steel Corporation, Limited (incorporated 1907), and
- (b) The "pledged securities" referred to and described in the said First and Refunding Mortgage,

and being all the property described in paragraphs (a) to (e) inclusive of the granting clauses of the said First and Refunding Mortgage (including all property and assets of every kind in the custody or control of the Receivers and Managers of the undertaking, property and assets of Algoma Steel Corporation, Limited (incorporated 1907), appointed by the Supreme Court of Ontario in actions brought for the enforcement of the said Mortgage and of the Purchase Money Mortgage of Algoma Steel Corporation, Limited (incorporated 1907).

SCHEDULE "B"

Indenture of Mortgage or Deed of Trust made as of the 1st day of April, A.D. 1912, between Algoma Steel Corporation, Limited, a Company duly incorporated under the laws of the Province of Ontario, of the first part; United States Mortgage and Trust Company, a Company duly incorporated under the laws of the State of New York, of the second part, and The Lake Superior Corporation, a Company duly incorporated under the laws of the State of New Jersey, of the third part (known as the First and Refunding Mortgage), to secure payment of the First and Refunding Mortgage Five Per Cent. Fifty-Year Sinking Fund Gold Bonds of Algoma Steel Corporation, Limited, to the aggregate amount of Thirty Million Dollars, registered on the 13th day of June, 1912, in the Registry Office for the Registry Division of Algoma, in Book R for Sault Ste. Marie, as Number 20208, and filed in the Office of Land Titles at Sault Ste. Marie on the 17th day of October, 1912, as Number 11285.

SCHEDULE "C"

IN THE SUPREME COURT OF ONTARIO

THE HONOURABLE	{	Tuesday, the 12th day of
MR. JUSTICE J. A. McEVOY		February, A.D. 1935.

BETWEEN:

THE TORONTO GENERAL TRUSTS CORPORATION,
Trustee under a Mortgage dated the 1st day of
April, A.D. 1912, and made between Algoma Steel
Corporation, Limited, of the First Part, United
States Mortgage & Trust Company, of the Second
Part, and The Lake Superior Corporation, of the
Third Part, and known as "The First and Refunding
Mortgage,"

PLAINTIFF,

—and—

ALGOMA STEEL CORPORATION, LIMITED and THE
LAKE SUPERIOR CORPORATION,

DEFENDANTS.

Upon motion made unto this Court this day by Counsel on behalf of the Plaintiff, in the presence of Counsel for Chartered Trust and Executor

Company,

Company, the Liquidator of the Defendant Algoma Steel Corporation, Limited, for Donald McK. McClelland, Liquidator of the Defendant The Lake Superior Corporation, for Algoma Steel Corporation, Limited (incorporated 1934) and of Counsel for The Lake Superior Investment Company, for Dunn, Fisher & Co., and for Algoma Consolidated Corporation Limited, holders of First and Refunding Mortgage 5% 50-Year Sinking Fund Gold Bonds of the Defendant Algoma Steel Corporation, Limited secured by the above mentioned First and Refunding Mortgage, and for the Bank of Montreal, claiming to be a secured creditor of the said Defendant Algoma Steel Corporation, Limited, for judgment and for an order in respect of the matters hereinafter set forth; upon hearing read the pleadings and proceedings herein, the resolutions of the holders of the said First and Refunding bonds at the meeting held on the 6th day of February, 1935, the Offer of Purchase dated the 19th day of December, 1934, referred to in the said resolutions, the affidavits of Peter Wright, W. C. Franz (2), William Lilley, Gordon C. Lindsay, the said Donald McK. McClelland and John J. Gibson, and the exhibits therein referred to, filed, and upon hearing what was alleged by Counsel aforesaid, and no bondholder or creditor appearing to oppose the said motion, and upon Counsel for Algoma Steel Corporation, Limited (incorporated 1934) undertaking to pay the compensation and expenses, including legal fees, of Chartered Trust and Executor Company, Liquidator of the Defendant Algoma Steel Corporation, Limited on completion of the sales and transfers herein referred to:

1. This Court doth declare that the trusts of the said First and Refunding Mortgage ought to be performed and carried into execution, having regard to the said resolutions of the bondholders of the said First and Refunding Mortgage 5% 50-Year Sinking Fund Gold Bonds and to the said Offer of Purchase dated the 19th day of December, 1934, and that the Plaintiff, as Trustee as aforesaid, and Chartered Trust and Executor Company, Liquidator of the Defendant Algoma Steel Corporation, Limited, should do all such acts as may be required to give effect to the said Offer and the said resolutions; and doth order and adjudge the same accordingly.

2. And this Court doth sanction and direct the sales and transfers contemplated by the said Offer of Purchase dated the 19th day of December, 1934, and doth direct the said Plaintiff, as Trustee as aforesaid, to exercise all or any of the powers conferred on the Trustee under the said First and Refunding Mortgage; and doth order and adjudge the same accordingly.

3. And this Court doth authorize and direct the distribution by the Plaintiff, as Trustee as aforesaid, among the holders of the said First and Refunding Bonds, with First October, 1932 and all subsequent coupons attached, in payment on account of the said bonds and coupons, of the no par common shares to be issued to the said Plaintiff, as Trustee as aforesaid, as part of the consideration of the said sales, as set out in the said Offer of Purchase dated the 19th day of December, 1934, by the delivery to each such holder of one no par common share for each principal sum of \$200.00 of the said bonds held by such holders respectively (or the Sterling equivalent thereof, at the rate of \$4.86-2/3 to the pound, as provided in the said First and Refunding Mortgage), and in respect of any balance of principal by the delivery of scrip certificates for fractional shares redeemable in no par common shares on the above basis, in such manner as the Plaintiff, as Trustee as aforesaid, may see fit; provided, however, that the Plaintiff, as Trustee as aforesaid, do insert an advertisement, in the form in the Schedule hereto annexed, once a month for three consecutive months in each of the following newspapers:—The New York Times, published in the City of New York, U.S.A.; The Times, published in London, England; and The Globe, published in the City of Toronto, Canada; and this Court doth order and adjudge the same accordingly.

4. And this Court doth further order and adjudge that the Plaintiff, as Trustee as aforesaid, the Chartered Trust and Executor Company, Liquidator of the Defendant Algoma Steel Corporation, Limited, and the Receivers and Managers of the undertaking, property and assets of the Defendant Algoma Steel Corporation, Limited, comprised in and subject to the security created by the said First and Refunding Mortgage and the Purchase Money Mortgage of the Defendant Algoma Steel Corporation,

Limited, do join in, execute and deliver proper conveyances of the undertaking, property and assets set out in the said Offer of Purchase dated the 19th day of December, 1934, subject, however, to the charge of the said Purchase Money Mortgage, and to the lien, if any, of the Bank of Montreal under or by virtue of security given to the said Bank under the provisions of Section 88 of *The Bank Act*, and a general assignment of book debts.

5. And this Court doth further declare that the matters herein ordered and adjudged are so ordered and adjudged without prejudice to and reserving the rights of the said First and Refunding bondholders and those of the said Plaintiff, as Trustee as aforesaid, against the Defendant The Lake Superior Corporation, under the covenants for payment contained in the said First and Refunding Mortgage and endorsed on the said First and Refunding bonds; and doth order and adjudge the same accordingly.

6. And this Court doth further order and adjudge that no action shall be taken to carry out the terms of this judgment and order until the legislation referred to in the said Offer of Purchase dated the 19th day of December, 1934, has been enacted by the Legislative Assembly of the Province of Ontario.

Judgment signed this 15th day of February, A.D. 1935.

H. B. PALEN,
Assistant Registrar, S.C.O.

Entered J. B. 62 pages 158-59-60,
February 15, 1935.
"V. C."

SCHEDULE "D"

Indenture of Mortgage or Deed of Trust, made as of the 1st day of April, A.D. 1912, between Algoma Steel Corporation, Limited, a Company duly incorporated under the laws of the Province of Ontario, of the First Part, and United States Mortgage and Trust Company, a Company duly incorporated under the laws of the State of New York, of the Second Part (known as the "Purchase Money Mortgage"), to secure the Purchase Money Five Per Cent. Bonds of Algoma Steel Corporation, Limited, to the amount of Five Million Eight Hundred Thousand Dollars, registered on the 10th day of June, 1912, in the Registry Office for the Registry Division of Algoma, in Book R for Sault Ste. Marie, as Number 20186, and filed in the Office of Land Titles at Sault Ste. Marie on the 17th day of October, 1912, as Number 11284.

CHAPTER 77.

An Act respecting the Town of Collingwood

Assented to April 18th, 1935.

WHEREAS the corporation of the town of Collingwood Preamble.
 has, by its petition, represented that it is desirable that
 a certain agreement, bearing date the 6th day of December,
 1934, between the said Corporation and The Spiral Nail
 Company of Canada Limited to authorize the sale by the said
 corporation to the said company of the property formerly
 owned and operated by The Imperial Steel Corporation
 Limited in the said town be confirmed; and whereas it is
 expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. This Act may be cited as *The Town of Collingwood Act*, Short title.
 1935.

2. Notwithstanding the provisions of *The Municipal Act* Agreements with Spiral Nail Company confirmed.
 and *The Bonus Limitation Act*, the agreement dated the 6th
 day of December, 1934, between the corporation of the town
 of Collingwood and The Spiral Nail Company of Canada
 Limited, which agreement is set forth in Schedule "A" hereto,
 is hereby ratified and confirmed and declared to be legal,
 valid and binding upon the said corporation and the rate-
 payers thereof and upon the said company, its successors and
 assigns. Rev. Stat., cc. 233, 234.

3. Notwithstanding the provisions of the said Acts the said Authority to sell lands referred to in section 2.
 corporation is hereby empowered to enter into any agreement
 for the sale of the property mentioned in the agreement set
 forth in schedule "A" hereto, or any part thereof, at such
 price and upon such terms and conditions as the council
 of the said corporation shall deem expedient, and any such
 agreement made or purporting to be made in pursuance of
 the power hereby conferred when entered into shall be legal,
 valid and binding upon the said corporation and the rate-

payers thereof, and upon any person, firm or corporation being a party thereto and his, her or their heirs, executors, successors or assigns.

Tax
sales and
conveyances
confirmed.

4.—(1) All sales of land within the limits of the said town made prior to the 31st of December, 1932, which purport to have been made by the said corporation or by its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed and all conveyances of land so sold, executed by the mayor and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed in the purchaser thereof or his heirs, or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending
litigation
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

This Agreement made in triplicate the Sixth day of December, 1934.

BETWEEN:

THE CORPORATION OF THE TOWN OF COLLINGWOOD,
hereinafter called the "Corporation,"

of the first part;

—and—

THE SPIRAL NAIL COMPANY OF CANADA, LIMITED,
incorporated under the Laws of the Dominion of
Canada, hereinafter called the "Company,"

of the second part.

Witnesseth:

1. (a) That the Corporation agrees to sell and the Company agrees to buy the lands and premises being:

All and singular that certain parcel or tract of land and premises and the land now or lately partly covered with water, situate, lying and being in the Town of Collingwood in the County of Simcoe, and being composed of part of broken lot Number 45 in the Ninth concession of the Township of Nottawasaga, in the said County, and of part of water lot K-8 in front of the same which said parcel may be better known and described as follows:

Commencing at a point on the east limit of High Street (being the east limit of the road allowance between concessions nine and ten of the Township of Nottawasaga, now within the limits of the said Town of Collingwood) distant eighteen chains, three links measured northerly along the said limit from a point where the said concession road intersects the north limit of Water Street, thence northerly along the said east limit of High Street twelve chains twenty-six links more or less to the south limit of Harbour Street, thence easterly along the said south limit of Harbour Street and its production easterly 18 chains 99 links more or less to the northeast angle of said water lot K-8, thence southerly along the east limit of said water lot 12 chains 26 links more or less to a point in the said last mentioned limit distant 18 chains 3 links measured northerly along said limit from the intersection of the north limit of Water Street with the west limit of Hickory Street, thence westerly parallel to the south limit of Harbour Street and its continuation easterly 18 chains 99 links more or less to the place of beginning, together with all the rights of way and other rights, privileges, and appurtenances enjoyed by the Corporation under and by virtue of the conveyance of the said lands dated 2nd December, 1920, and registered as Number 14327, being all the lands described in registered number 14327.

Together with the plant, machinery and equipment set out in Schedule "A" hereto, subject to the rights still in existence as set forth in the conveyance of the 1st day of December, 1920, and numbered 14326, upon the terms and subject to the reservations in paragraph 3 hereto and conditions hereinafter set forth; the consideration for the said conveyance to be the sum of One Dollar (\$1.00), together with the premises and the covenants and agreements made by the Company herein contained. The Company, for itself, its successors and assigns covenants to and with the said Corporation to pay in wages for operation of the said plant for a period of five years computed from the first day of June, 1935, the sum of \$12,500.00 per year (a total of \$62,500.00) and the Clerk or Auditor of the Corporation shall have the right to examine all books of the Company necessary to ascertain the amount so paid in wages. The Company further

agrees

agrees to pay all taxes imposed by the Corporation upon the property above set forth during the said period of five years as and when the same become due. Upon payment of wages and taxes by the Company as aforesaid, for the said period of five years, the Company shall receive a conveyance of the said lands, together with the plant and machinery and equipment set forth in Schedule "A" hereto in fee simple, free from encumbrance, save and except as set out in Paragraph 3 hereof, provided the Company shall be credited with \$1,500.00 already paid in wages.

2. That the Company shall not remove for a period of five years from the Sixth day of December, 1934, or dispose of any of the plant and equipment set out in Schedule "A" hereto without the written consent of the Chairman of the Industrial Committee of the said Town of Collingwood, or other person appointed by resolution of the Council of the Corporation.

3. The Corporation reserves the right to use by itself, its servants or employees, or its tenants or assigns, the docks situated on part of the said lands in common with the Company or its assigns, together with the approaches to and necessary rights of way for ingress and egress from the said docks, for the purpose of use thereof, provided however, this reservation shall not interfere with the necessary rights of way of the Company or its assigns to use the said docks, in connection with the business of the Company or its assigns. In case differences should arise as to the use of the said docks, the matters in dispute shall be settled by the Senior Judge of the County of Simcoe, or his appointee. The said lands are subject to certain rights of the Imperial Oil Company Limited, as set forth in a conveyance between the Imperial Oil Company Limited and the Imperial Securities Limited, dated the 1st day of December, 1920, and registered as number 14326.

4. That the Company will proceed forthwith to place the plant in proper repair for carrying on its work of manufacture of spiral nails under the patents held by it together with such other branches of metallic industries as it may see fit from time to time to engage in.

5. (a) The Company, for itself, its successors and assigns, covenants to and with the Corporation that it will repair, operate and continue to operate the said plant or unit thereof, or a kindred product, or some other industry approved of by the Corporation for a period of five years, computed from the first day of June, 1935, in so far as trade conditions will admit of such continuous operation.

(b) It is further understood and agreed that 90% of the said \$62,500.00 shall be paid to workmen or other employees, exclusive of executive officers, resident in the Town of Collingwood previous to the first day of December, 1934, save that credit on account of the sum of \$62,500.00 mentioned in the said agreement may be claimed by the Company, in respect of any wages already paid or hereafter paid to any workman or workmen not resident in the Town of Collingwood previous to the First day of December, 1934, upon the Company proving to the satisfaction of the County Judge of the County of Simcoe, sitting as an arbitrator, that a workman or a sufficient number of workmen of the efficiency required to carry on and do the work necessary for the proper completion of the products of the Company could not be obtained at the time of employing said workman or workmen from those resident as aforesaid.

(c) And the Company further covenants and agrees to and with the Corporation that it will have the said plant, or unit thereof, placed in repair and ready for operation, or a kindred plant installed and ready for operation as aforesaid, on or before the first day of June, 1935.

6. It is further understood and agreed by and between the parties hereto that, after the 15th day of December, 1934, the Company or its assigns will insure and keep insured the buildings, plant and machinery upon the said lands for a sum of not less than \$25,000.00 aggregate in a Company or Companies to be approved of by the Corporation, loss, if any, in said Policy or Policies, to be made payable to the Corporation as its interest may appear, and renew said insurance until December, 1939,

provided

provided in the event of fire the insurance monies paid to the Corporation shall be used for rebuilding and replacement.

(a) And it is further understood and agreed by and between the parties hereto that the Corporation's interest in the said Policy or Policies shall be fixed or estimated at \$25,000.00 and in case of fire the monies paid by the Insurance Company or Companies to the said Corporation are not required for the purpose of rebuilding or replacement, then, in such event, such Insurance monies shall belong to the Corporation.

7. In this agreement to operate the said plant means to operate a plant for the manufacture of spiral nails or such other manufacture of iron work as may be carried on by the Company and does not mean that the whole plant upon the said premises must be operated or carried on.

8. It being made to appear that Percy B. Butterfield is the inventor of the patents now held by the Company and the carrying out of this Agreement largely depends upon his good will and ability to carry out the agreement, be it therefore understood and agreed by and between the parties hereto that this Agreement is entered into with the understanding that he, the said P. B. Butterfield, shall be and continue in control of the Company until December 1, 1936.

9. It is further understood and agreed by and between the parties hereto that, in case the Company shall not commence operations on or before the First day of October, 1935, and continue to operate in accordance with the terms of this Agreement, then, in such event, the Corporation may, on two months' written notice to the said Company, terminate this Agreement.

This Agreement shall extend to and be binding upon and enure to the benefit of the successors and assigns of each of the parties hereto respectively.

In witness whereof the Company, under the hands of its authorized officers, has hereunto affixed its Corporate Seal, and the Corporation has affixed its Corporate Seal under the hands of its Mayor and Clerk, the day and year first above written.

WITNESS:

C. McKENZIE.

C. E. WILLISON.

THE SPIRAL NAIL COMPANY OF
CANADA LIMITED.

PERCY B. BUTTERFIELD,
President.

G. HOWARD GRAY,
Secretary.

THE MUNICIPAL CORPORATION OF THE
TOWN OF COLLINGWOOD.

J. P. DAVIS,
Mayor.

W. H. WHIPPS,
Clerk.

*Schedule "A"**Attached to and forming part of agreement dated December 6th, 1934.*

BETWEEN:

THE CORPORATION OF THE TOWN OF COLLINGWOOD,
hereinafter called the "Corporation,"

OF THE FIRST PART,

—and—

THE SPIRAL NAIL COMPANY OF CANADA LIMITED,
incorporated under the laws of the Dominion of
Canada, hereinafter called the "Company,"

OF THE SECOND PART.

Wire Mill—168' x 192', one storey.
 Galvanizing Room—24' x 192', one storey.
 Shipping Room—48' x 192', one storey.
 Boiler Room—48' x 40', one storey.
 Machine Shop—40' x 72', one storey.
 Stock Room—15' x 20', one storey.
 Cleaning Room—60' x 108', one storey.
 Annealing Room—48' x 90', one storey.

Saw-tooth roof over Main Wire Mill with wooden sash; remainder of roof is covered with paroid ready roofing. This affords fullest possible lighting for all operations.

Metal sash in all outside walls.

The interior of the whole plant is whitewashed.

There is a concrete floor, in good condition, throughout the whole plant.

The plant is heated by air through concrete ducts and tile pipe underneath the floor.

The plant is connected up with drains throughout; all downspouts being carried inside and connected to drains, emptying into Lake.

The water supply for factory use is pumped from a creek which crosses their property. They also have city water service installed.

There is a single-track Canadian National Railway siding on the west side of the plant.

The building has reinforced concrete lintels and sills throughout.

There is one sheet-steel storage tank 12 feet diameter by 24 feet high, used for oil. Not complete.

There is an oil house at the rear of the property of frame construction, 24 feet by 15 feet.

The yard at the rear is levelled with cinders.

At the rear of the plant there is 1 Air Compressor Tank and 1 Underground 10' x 12' Oil Tank.

There is an eight-roomed solid brick house located on property which is laid out and used for the Office Building. It is in first-class condition, being fully equipped with desks, etc., and a built-in vault. Equipment removed, but to be put back.

There is a 25' x 20' wood garage at the rear of the Office Building.

CLEANING HOUSE EQUIPMENT

- 4—B. C. Fir Tubs, 6 x 4, 6 feet deep, 9 bundle capacity.
- 1—Lime Tub, 6 x 4, 6 feet deep, 9 bundle capacity.
- 1—Air and Steam Revolving Crane, 1 ton capacity—dismantled.
- 1—Lime Mixing Tank.
- 98—100-lb. Carboys Muriatic Acid.
- 1—Whitewash Machine for spraying buildings.
- 2—Baking Ovens, capacity 11 trucks of 9 bundles each.
- Fuel Oil Fired, one burner each.

ANNEALLING ROOM EQUIPMENT

- 1—10 x 12 Turner Vaughan & Taylor Annealing Furnace, oil or coal fired.
- 23—32" Sheet Steel Annealing Pots, capacity 4 coils, 150 lbs. each (sand sealed).
- 1—Blueing Furnace, 12 feet long, 2 oil burners, capacity 125 kegs in 9 hours.

BLACKSMITH EQUIPMENT

- 1—Hand Forge.
- 1—Heavy Anvil.
- 1—2 x 2 Oil Tempering Furnace.
- 1—Furnace for Drawing Plates, 3 x 5, oil fired.
- 1—Air Gun for battering plates.
- 2—Small Drills.
- 1—Small Grinder.
- 1—Water Grindstone.
- 1—Duy Reamer.
- 1—Screw Press for straightening plates.
- 300 Steel Plates, 500 Cast Iron Plates, 3,500 Fire Brick.
- 40 feet $1\frac{5}{8}$ " Line Shaft.

WIRE DRAWING MILL

4—12 Block, 22" Turner Vaughan Taylor Type Draw Benches, manufactured by Imperial Wire Corporation. Chain connected to 125 H.P. motors. (Built, 1921). 4 pointers, each.

1—100 H.P.G.E. Motor connected to 1 bench.

2—125 H.P.C.C.W. Motors connected to 2 benches. (One bench has no motor. Above motors are 2200 v., 3 phase, 720 R.P.M. Reynolds Silent Chains Drive.) Swifts and Stands for 3 benches.

1—Fairbanks Scale—5,000-lb. set-in platform type.

4—12 Block 16" Draw Benches. Built by Imperial Wire Corporation. One bench only connected with motor.

1—15 H.P. Westinghouse Motor, 550 v., 3 phase, 1150 R.P.M. Direct connected to above bench with link belt chain drive. Swifts for 16" frame only.

1—Four Bobbin Automatic Winder, for 6" x 8" bobbins.

1—5 H.P. Westinghouse Motor.

2—Small Spring Machines.

1—Poultry Netting Machine for 12 ft. width of mesh, belt driven.

1—2-ton Morris Chain Block.

9—20 Blocks 8" dia. Turner Vaughan & Taylor Draw Benches. In 10 block sections (6 wood frames and 3 all-metal frames, sheet steel covered all over, belt driven).

1—Humphrey 6 Block 16" dia. Draw Bench. (Requires 30 H.P. motor.)

2—Band Iron Hooping Machines.

1—500-lb. Platform Scales.

80 feet $2\frac{7}{8}$ " Line Shaft, complete with hangers and ring oil bearings.

1—15 H.P. Lincoln Motor.

4—4-wheel Platform Trucks, ball bearing.

35—4-wheel Wire Trucks, roller bearing.

22—4-wheel Cleaning Trucks.

1—Hand Truck.

1—Wheelbarrow.

1—Scrap Baling Machine, belt driven.

1—18-ft. Cut-off and Straightening Machine, capacity No. 4 to No. 19 wire.

NAIL MILL

- 1—Nail Barbing Machine, belt driven.
- 1—Sawdust Whisker Remover.
- 9—4' x 2' Octagonal Rumbler, each chain driven from clutch on line shaft. All connected with suction pipes.
- 9—3" x 15" Belt-driven Rumbler.
- 300—18" x 9" x 5" Sheet Iron Nail Pans.
- 1—Double End 12" Emery Reel.

NAIL MACHINES

All in good condition. (Belt Driven) Swifts for all.

- 2—6-penny Kokoma.
- 3—10-penny Tiffin and Kokomas Type Bastard Machines.
- 1—6-penny Tiffin.
- 2—10-penny Tiffin.
- 2—10-penny Kokomas.
- 1—60-penny Kokomas (6" to 8").
- 2—20-penny Kokomas.
- 5—10-penny Kokomas.
- 10—4-penny Tiffin.
- 2—4-penny Kokomas.
- 10—4-penny Tiffin and Kokomas Type Bastard Machines.
- 1—Base Staple Machine.
- All Machines set on fibre board in cement.
- 80—2 $\frac{7}{16}$ " Line Shaft with ring oil bearings.
- 2—25 H.P. Westinghouse Motors, link belt connected to line shaft.
- 10—Barbed Wire Machines, complete with counters, baskets, etc., bolted on concrete floor.
- 70—2 $\frac{7}{16}$ " Line Shaft with ring oil bearings.
- 1—15 H.P. Lincoln Motor.

GALVANIZING PLANT

- 1—Brick Annealing Furnace, fuel oil fired, 8 burners, 35' x 6' x 8'.
- 30—22" Wood Swifts and Bases.
- 40—12" x 10" x 3" Cast Iron Dross Pans.
- 1—New 12" x 4' Semi-circular Oil-fired Galvanizing Pan, 4 Burners.
- 1—Iron Cooling Pan.
- 1—24 Block, 22" dia. Take-up Frame. This block was too light and is now partly re-built. They have the parts necessary to make this change. Dismantled.
- 1—Galvanizing Pan for Poultry Netting, oil fired, 2 burners.
- Take up equipment for same—chain driven with variable speed countershaft.
- 1—5 H.P. Westinghouse Motor.

BOILER HOUSE

- 1—Collingwood Shipbuilding Co. Boiler, 150 H.P., 84 tube, stationary tubular type. Grates, etc., O.K. (Condemned.)
- 1—Small Feed Pump for Boiler.

MACHINE SHOP

- 2—Small Oil Pumps (1 rotary 2" distributor 40-lb. pressure with by-pass return; 1 centrifugal 1 $\frac{1}{2}$ " pump used for unloading tank cars).
- 1—12" x 12" Sullivan Air Compressor, belt driven.
- 1—Ingersoll-Rand Compressor, belt driven and connected to 15 H.P. (550 volt, 3 phase, 1170 R.P.M. motor).
- 1—Smart & Turner Water Pump, 5" x 5" belt driven.
- 1—Hot Air Fan, steam or belt driven (Stutesvant make).
- 3—3 x 6 Marble Switchboard Panels.
- 35 feet 1 $\frac{1}{8}$ " Line Shaft, complete with bearings, etc.

1—15 H.P. Westinghouse Motor.
1—3-spindle Petrie Tool Drill.
2—14" Power Hack Saws.
1—16" Goldie-McGregor Shaper.
2—2-wheel 15" Grinders.
1—Hamilton 18" Lathe.
1—C.M.C. 20' Gap Lathe (will swing 40" dia.).
1—1 Lights Drill (automatic feed).
1—Fosdick Radio Drill, 3½ feet.
1—24" Goldie-McGregor Shaper.
1—Universal Milling Machine (No. 18 light).
1—Surface Grinder.
3—Heavy Bench Vises.
2 tons Cold Rolled Steel and Shaped Key Stock.
60 feet 1½" Line Shaft, complete with ring oil bearings, etc.
1—15 H.P. Westinghouse Motor.
1—36" Wood Band Saw (new, belt driven).
Pulleys, belting, shafting, motors, etc., in good shape.

CHAPTER 78.

An Act respecting the Township of Crowland.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the township of Crowland has by its petition prayed for special legislation in respect of the matters hereinafter set forth, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Crowland Act, 1935.*

Election of trustees for School Sections Nos. 3 and 9.

Rev. Stat., c. 323, s. 76.

2. The trustees of the public school boards of sections numbers 3 and 9 of the township of Crowland in the county of Welland respectively shall be elected as provided by section 76 of *The Public Schools Act.*

Vacancies in office of School Trustees,—how filled.

3. Where the office of trustee of either of the said boards becomes vacant from any cause, a new election shall be held to fill such vacancy in the manner provided for holding the annual election of trustees, and the person elected shall hold office for the remainder of the term for which his predecessor was elected; provided that no election shall be necessary when the vacancy occurs after the 31st day of October in any year, but the office shall remain vacant until the annual election; and if the term of the vacant office then expires a new trustee shall be elected; or if the term of the vacant office does not then expire, some duly qualified person shall be elected at such annual election to fill the vacancy for the unexpired term of office for which his predecessor was elected.

Proviso.

Confirmation of tax sales and conveyances.

4.—(1) All sales of land within the township of Crowland made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the said township or its treasurer for arrears of taxes in respect to land so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the

purchaser

purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation, or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Pending litigation not affected.

5. This Act, other than section 4, shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on the 1st day of July, 1935. Commencement of Act.

CHAPTER 79.

An Act respecting the Township of East York.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the township of East York has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of East York Act, 1935.*

Creation of
Public
School
area.

2.—(1) The council of the corporation of the township of East York may by by-law passed with the consent of the majority of the whole number of members of the council before the 1st day of July in any year, set apart the whole of the said township as a public school area and declare that thereafter the several public school sections included in the said township shall cease to exist and that the public school boards having jurisdiction therein shall be united with the collegiate institute board of the said township.

Formation
of Board of
Education.

(2) Save as hereinafter provided, from and after the 25th day of December in the year in which a by-law is passed under the provisions of subsection 1 the collegiate institute board of the said township and the public school boards shall be united and shall form one board and shall be a corporation by the name of "The Board of Education for the Township of East York" hereinafter referred to as "the board of education", and it shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education, save that the provisions of section 109 of *The Public Schools Act* shall not apply to the said township.

Rev. Stat.,
c. 323Composition
of board.

(3) The board of education shall consist of nine members to be elected or appointed as hereinafter provided:

- (a) Five of the members shall be elected as hereinafter provided;
- (b) Three of the members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*; Rev. Stat. c. 326.,
- (c) One member shall be appointed annually by the East York Separate School Board at its first meeting in each year or so soon as may be thereafter.

(4) All public school boards in the municipality and the said collegiate institute board shall remain in existence until the board of education has been elected or appointed and organized as hereinafter provided. The three members who have been appointed by the council of the said county to the said collegiate institute board shall be members of the board of education as county representatives during the unexpired portions of their respective terms of appointment to the same extent and effect as if they had been appointed by the council of the said county to the board of education for such respective times. Continuation of existing boards.

(5) Upon organization of the board of education the members of the said collegiate institute board appointed by the council of the said township and the members of the said public school boards shall cease to hold office and all property real and personal, theretofore vested in the said collegiate institute board and in the said public school boards shall become vested in and become the property of the board of education, and it shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable. Vesting of school properties in the board.

(6) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections. Election by ballot. Rev. Stat., c. 233.

(7) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township containing the names of candidates for members of the board of education, in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to

any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

Qualifica-
tions of
members of
board.

(8) Every ratepayer who resides in the said township and is a British subject, and of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act, may be elected a member of the board of education. Of the first elective members of the board of education, the three members elected by the highest number of votes shall hold office for two years and the two remaining members shall hold office for one year. In each year after the first election, an election shall be held to fill the place of the elective members whose terms of office shall have expired, and the members elected shall hold office for two years.

Rev. Stat.,
c. 323.

Qualifica-
tions of
voters.

(9) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections shall be entitled to vote at an election of members of the board of education excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

First
meeting.

(10) The first meeting of the board of education in the first year of its existence shall be held on the first Wednesday in February at the hour of eight o'clock in the evening, at the East York Collegiate Institute. Unless a date and place for the first meeting has been decided upon by the former board in any year the board of education shall hold its first meeting in each succeeding year on the first Wednesday in February at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

Application
of Rev. Stat.,
c. 327.

(11) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

Application
of general
school law

Rev. Stat.,
cc. 323, 326;
1930, c. 64.

Rev. Stat.,
c. 332.

(12) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act, 1930*, which are not inconsistent with *The Boards of Education Act* and with this section shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the said township and to the board of education

as if the said township were an urban municipality not separated from a county; provided that the provisions of clause *d* of section 88 of *The Public Schools Act* relating to rural schools shall continue to apply to the schools in the said township.

(13) Nothing in this Act shall affect or alter the basis of legislative grants for the support of public schools but the said grants shall continue to be paid as if the said township had continued to be divided into rural school sections.

(14) No legislative or county grants or other amounts payable in respect of high schools, night classes, continuation schools and vocational schools in the said township shall be reduced by reason of any of the provisions of this Act.

(15) None of the provisions of this section and no by-law passed under this section shall affect or include any part of the said township which at the time of passing of such by-law forms part of a union school section but on dissolution of any such union school section in accordance with the provisions of *The Public Schools Act* that part thereof within the said township shall become part of the public school area for the whole of the said township under the jurisdiction of the board of education and thereafter the provisions of this section shall apply.

3.—(1) The whole of the said township shall, as of the 25th day of December next following the passing of a by-law under the provisions of subsection 1 of section 2 be united as one school section for separate school purposes and thereafter the boards of separate school trustees having jurisdiction in the existing school sections therein shall be dissolved, save as hereinafter provided.

(2) All boards of trustees of separate schools in the then existing school sections in the said township shall remain in office until the separate school board for the said township shall have been elected and organized as hereinafter provided.

(3) There shall be a board of separate school trustees for the said township which shall consist of five members and the said board, save as herein otherwise provided, shall have and may exercise and perform, without the assent of the electors, the like rights, powers and duties with respect to separate schools in the said township as in the case of a rural board.

(4) The board of separate school trustees for the said township shall be a corporation by the name of "East York Separate School Board" hereinafter referred to as "the separate school board."

- Elections. (5) There shall be an election of the members of the separate school board for the year following the year in which the by-law referred to in subsection 1 is passed, and for each year thereafter, and sections 38 to 42 inclusive of *The Separate Schools Act* shall apply to such elections.
- Rev. Stat., c. 328.
- Returning officer. (6) A person appointed by the inspector shall be the returning officer at the first election and shall perform the duties of secretary in respect thereto.
- Terms of office. (7) Of the trustees elected at the first election the three trustees first elected shall hold office for two years and the two remaining trustees shall hold office for one year.
- Annual election. (8) After the first election an election shall be held in each year to fill the place of the trustees whose terms of office shall have expired and the trustees elected shall hold office for two years.
- Vesting of property. (9) Upon the election and organization of the separate school board, all the property, real and personal, vested in the board of trustees of the Roman Catholic separate school for any existing school section shall be vested in and become the property of the separate school board.
- Discharge of liabilities. (10) The separate school board shall be responsible for and discharge all liabilities and obligations of each of the boards of the Roman Catholic separate schools in each school section included in the said township, and the indebtedness of the board of trustees of the Roman Catholic separate school of any school section shall be provided for by a general rate levied upon all property liable to taxation for separate school purposes in the said township.
- Legislative grants. (11) Notwithstanding the provisions of this section, legislative grants for the support of separate schools shall continue to be paid as if the said township had continued to be divided into rural separate school sections.
- 1925, c. 119, amended. 4. Section 9 of *The Township of East York Act, 1925*, is amended by adding thereto the following subsection:
- Amalgamation of sewer and water areas. (2) By-laws may be passed under the authority of this section amalgamating two or more or all sewer areas in the township into one sewer area or two or more or all water areas in the township into one water area or making the whole of the said township or any portion thereof one sewer area or making the whole of the said township or any portion thereof one water area.

5.—(1) All rights and claims between the respective parts of the said township comprising the several public school sections at the time of the establishment of the board of education under this Act or between the respective areas or parts of the said township brought into one area by a by-law passed under the authority of subsection 2 of section 9 of *The Township of East York Act, 1925*, as enacted by this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by The Ontario Municipal Board within three months after the time of the establishment of the board of education or of the passing of the said by-law as the case may be.

Adjustment
between
public school
sections and
sewer or
water areas.

(2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, 1932, c. 27, shall be applicable.

Jurisdiction
of Municipal
Board and
Referee.

(3) A referee appointed under this section shall proceed to hear and report to the said board upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee for his services shall be paid such fee as the said board may direct and allow.

Referee—
report of.

(4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration.

Considera-
tion of report
by Muni-
cipal Board.

(5) The said board may, by its order, adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying or amending the same shall be final and conclusive and not open to question or appeal and the terms thereof shall be binding upon the said corporation and the ratepayers thereof or of any school section, or area affected thereby.

Adoption
of report by
Municipal
Board.

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the rights and claims of any school section, or other area.

Imposition
of special
rates.

When
by-laws
relating to
sewer or
water areas
to take
effect.

(7) No by-law passed under the authority of subsection 2 of section 9 of *The Township of East York Act, 1925*, shall come into force or take effect until such time as the said board may by its order direct and no such order shall be issued until the said board has made an order under subsection 5 hereof.

Approval by
Minister of
Education.

(8) No by-law passed under the authority of section 2 shall come into force or take effect until the Minister of Education for Ontario has first approved the same, and no order shall be made by the said board under subsection 5 until the said approval of the Minister of Education has been obtained.

Assessment
of telephone
companies.
Rev. Stat.,
c. 238.

6. The said township shall be deemed to be a village for the purposes of sections 14 and 15 of *The Assessment Act*.

Taxation
exemption
for new
buildings.

7. The corporation of the said township may by by-law which, for its validity, shall not require the assent of the electors of the said township qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements, new dwelling houses erected in the said township, provided that such exemption shall not exceed a period of two years nor continue after a house has once become occupied.

Commence-
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 80.

An Act respecting the Town of Fort Erie.

Assented to April 18th, 1935.

WHEREAS the corporation of the town of Fort Erie Preamble.
has by its petition prayed for special legislation in
respect of the matters hereinafter set forth, and whereas it is
expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. This Act may be cited as *The Town of Fort Erie Act, 1935.* Short title.

2. The Buffalo and Fort Erie Public Bridge Authority shall Peace Bridge
taxation.
pay to the corporation of the town of Fort Erie in full of all
municipal taxes against the real property of the Buffalo and
Fort Erie Public Bridge Authority and for business assessment
and against the Buffalo and Fort Erie Public Bridge Authority
itself for the years 1934 to 1939 the following sums of money,
namely:

1934—\$45,000 which shall include local improvement rates,
penalties and interest.

1935—\$40,000 and local improvement rates.

1936—\$40,000 and local improvement rates.

1937—\$30,000 and local improvement rates.

1938—\$30,000 and local improvement rates.

1939—\$25,000 and local improvement rates.

3. The assessment of the said real property acquired, held Peace Bridge
assessment.
or managed by the Buffalo and Fort Erie Public Bridge
Authority, within the corporation limits of the town of Fort
Erie, including business assessment, and of the Buffalo and Fort
Erie Public Bridge Authority, itself, shall for the purposes of
taxation in each of the years 1934 to 1939, be entered on the
assessment and collector's roll of the said town in respect to
the said years, at no higher valuation than will produce the
above-mentioned sums per annum in the said respective years
at the rate or rates in the dollar which shall have been fixed
by a by-law or by-laws of the said corporation for authorizing,
levying and collection of rates for the purposes of the municipi-

pality and the said valuations shall be held and taken to be the assessed valuation for which, during the said years, the said property, business assessment and Bridge Authority hereinbefore described shall be entered upon the assessment and collector's roll for the purpose of levying and collecting all rates, exclusive of local improvement rates, and it shall be the duty of the assessors from time to time during the said period to assess the same in accordance with the valuations hereby fixed and for no other or greater sum; provided that for the purposes of the said assessment for the year 1934 there shall be deducted from the sum of \$45,000 applicable to such year, the amount of the local improvement rates, penalties and interest included therein.

Assessment
rolls for 1934
and 1935
confirmed.

4. The assessment rolls for the said corporation made in the years 1933 and 1934 for the years 1934 and 1935 respectively, as revised by the courts of revision of the said town sitting in respect to the same, shall be the assessment rolls for the years 1934 and 1935 upon which taxes for the year 1934 and 1935 shall be levied, excepting that the assessment of the Buffalo and Fort Erie Public Bridge Authority as set forth in each of the said rolls shall be amended to accord with the assessment for each of the said years as set forth in section 3, and the said assessment rolls and the assessments contained therein as revised by the said courts of revision are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and as having been made in accordance with the provisions of *The Assessment Act*, and no variations therein subsequently made as the result of any appeal shall have any effect.

Rev. Stat.,
c. 238.

By-law
No. 767
confirmed.

5. Subject as provided in section 2 and as to amount of taxation of the Buffalo and Fort Erie Bridge Authority for the year 1934 as herein set forth, by-law number 767 of the said corporation passed on the 31st day of July, 1934, authorizing and levying the rate for taxes for the year 1934, on the assessment roll for the year 1934, as revised by the said court of revision, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and as having been made in accordance with the provisions of *The Municipal Act*.

Rev. Stat.,
c. 233.

By-law
No. 766
confirmed.

6. By-law number 766, of the said corporation passed on the 4th day of December, 1934, and having received the assent of the electors qualified to vote thereon, in respect to granting the Horton Steel Works Limited a fixed assessment in respect to the lands therein described, for the period and upon the terms therein set forth, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Horton Steel Works Limited, its successors and assigns.

7. By-law number 774 of the said corporation passed on the 4th day of December, 1934, and having received the assent of the electors qualified to vote thereon, in respect to granting Frank B. Baird, the Elder, a fixed assessment, in respect to the lands therein described, for the period and upon the terms therein set forth, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Frank B. Baird, the Elder, his heirs, successors and assigns.

By-law
No. 774
confirmed.

8.—(1) All sales of land situate within the said town of Fort Erie made prior to the 31st day of December, 1933, and purporting to have been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Tax sales
and
conveyances
confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending
litigation
not
affected.

9. This Act, other than section 8, shall come into force on the day upon which it receives the Royal Assent. Section 8 shall come into force on the 1st day of July, 1935.

Commence-
ment of Act.

CHAPTER 81.

An Act respecting the Town of Fort Frances.

Assented to April 18th, 1935.

Preamble.

WHEREAS the municipal corporation of the town of Fort Frances has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Fort Frances Act, 1935.*

Authority
to grant fixed
assessment
to certain
companies.

2. The council of the said corporation is hereby authorized with the assent of two-thirds of the electors qualified to vote on money by-laws who vote thereon to pass a by-law for granting a fixed assessment at a sum not less than the fixed assessment heretofore enjoyed to the Ontario and Minnesota Power Company, Limited, the Fort Frances Pulp and Paper Company, Limited, The Seine River Improvement Company, Limited, and the International Bridge and Terminal Company, Limited, for a term not exceeding ten years from the 1st day of January, 1935, and for entering into an agreement between the said corporation and the said companies relating to said fixed assessment and the properties to which said fixed assessment is to apply and upon such by-law being so passed and the agreement pursuant thereto being entered into such by-law and agreement shall be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said companies and each of them and their respective successors and assigns.

School taxes
and local
improvement
rates
not affected.

3. Nothing in this Act contained or in any such by-law or agreement as aforesaid shall apply to or affect taxation for school purposes or local improvement rates.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 82.

An Act respecting the Village of Hastings.

Assented to April 18th, 1935.

WHEREAS the corporation of the village of Hastings Preamble.
 has by its petition prayed for special legislation in
 respect to the matters hereinafter set forth; and whereas it
 is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. This Act may be cited as *The Village of Hastings Act*; Short title.
 1935.

2. By-law No. 744 of the corporation of the village of By-law
 Hastings passed on the 15th day of January, 1935, and the No. 744 and
 agreement dated the 7th day of December, 1934, made agreement
 between the said corporation and The Breithaupt Leather with The
 Company, Limited, both relating to the granting of a fixed Breithaupt
 assessment of the said company, are and each of them is Leather
 hereby ratified and confirmed and declared to be legal, valid Company,
 and binding upon the said corporation and the ratepayers Limited,
 thereof, and the said company and its successors and assigns. for fixed
assessment confirmed.

3. This Act shall come into force on the day upon which Commence-
 it receives the Royal Assent. ment of
Act.

CHAPTER 83.

An Act respecting the Trust Settlement of Charles Granville Heward.

Assented to April 18th, 1935.

Preamble.

WHEREAS James William Carrick and Thomas Mansell Weatherhead, both of the city of Toronto, Barristers-at-Law, trustees under a certain trust settlement dated the 24th day of September, 1921, made by Charles Granville Heward of the said city of Toronto, Esquire, have by their petition prayed for an Act amending the provisions of the said trust settlement and enabling the trustees in their discretion to raise and pay to or apply for the benefit of the said Charles Granville Heward out of the trust capital further sums up to but not exceeding \$7,000; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Heward Trust Settlement Act, 1935.*

Trust settlement varied and trustees authorized to advance moneys to the settlor.

2. The trustees for the time being of the said mentioned trust settlement may and are hereby authorized in their discretion to raise and pay to or apply for the benefit of the said Charles Granville Heward out of the trust capital further sums up to but not exceeding \$7,000, in addition to any capital moneys which they may have heretofore lawfully raised and paid out of the said trust capital to or for the benefit of the said Charles Granville Heward, and the provisions contained in the second paragraph on the eighth page of the said trust settlement are hereby amended by striking out the word "Five" in the tenth line of the said paragraph and inserting in lieu thereof the word "Twelve."

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 84.

An Act respecting Huron College.

Assented to April 18th, 1935.

WHEREAS Huron College has by its petition represented Preamble.
 that it is desirable to increase the number of members of
 its Council in the manner set forth in this Act; and whereas
 the council of the said College, the incorporated Synod of the
 Diocese of Huron, the Colonial and Continental Church
 Society of London, England, and the Alumni of Huron College,
 the only bodies affected have consented thereto; and whereas
 it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1. This Act may be cited as *The Huron College Act, 1935.* Short title.

2. Section 1 of the Act to amend the constitution of Huron 1906,
 College, being chapter 139 of the Statutes of Ontario, 1906, c. 139, s. 1,
 as amended by section 6 of the Act to amend the constitution and 1922,
 of Huron College being chapter 150 of the Statutes of Ontario, c. 150, s. 6,
 1922, is repealed and the following substituted therefor: re-enacted.

- 1.—(1) Notwithstanding anything contained in the said Appoint-
 Acts of incorporation of Huron College, or in the said ment of
 three indentures or any of them, or in the rules or members
 by-laws of the said College, or in the Act to amend of the
 the constitution of Huron College being chapter 150 Council of
 of the Statutes of Ontario, 1922, or otherwise, the the College.
 method of appointing the members of the council
 of Huron College and also of appointing the
 principal thereof in case of future vacancies shall be
 as follows, to wit:
- (2) The members of the said council shall eventually Number of
 number not less than twenty-two and not more members.
 than twenty-six (exclusive of the Bishop of the
 Diocese of Huron for the time being and the Principal
 of the College for the time being, each of whom shall
 always be a member of the Council, ex-officio) of
 whom ten shall be clergy and not less than twelve

and

and not more than sixteen shall be laity, and further eight of the said members shall always consist of members of the present existing council, or members co-opted by the survivors of the present existing council, or by the survivors of members so co-opted, while the remaining members of the council, exclusive of the Bishop and Principal, shall consist of eight members elected by the Incorporated Synod of the Diocese of Huron, and two members elected by the Alumni of Huron College and the remaining lay members elected by the council of Huron College in manner hereinafter provided.

Co-opted
members.

The present members of the council shall continue in office and when, by death or otherwise, their number shall have been reduced below eight (exclusive of the Bishop and the Principal and exclusive also of the Synod members, and of the members elected by the Alumni, hereinafter referred to as the Alumni members, and the lay members elected by the council in manner hereinafter provided) then and in such case and so often as the same shall happen the remaining members of the council (other than the Synod members and the Alumni members and the lay members elected by the Council in manner hereinafter provided) shall as soon as conveniently may be, at a meeting to be holden separately for that purpose (of which notice shall be given in such manner as shall be provided by by-law) elect one or more fit and proper person or persons to be a member or members of the council, in addition to the remaining members thereof, in the place and stead of those who have ceased to be such members, having regard in such election to the provisions hereinbefore contained as to the relative proportion of clergy and laity in the said council.

From and after the election of the four lay members by the council in manner hereinafter provided the council shall consist of not less than seven nor more than twenty-six members, exclusive of the Bishop and Principal.

Lay
members.

- (3) At any regularly called meeting next ensuing the passing of this Act, or at any adjournment thereof, not less than four lay members and not more than eight lay members shall be elected by the council of Huron College, and shall hold office for the following respective terms, namely: two members for terms of two years each, and two members for terms of four

years

years each and any members elected in excess of the said four members shall be elected for terms of not less than one year and not more than four years, the term for each of such members (other than the said four members) to be in the discretion of the council.

- (4) In the event of the number of members elected in accordance with subsection 3 being less than eight, the council may at any regularly called meeting of the council or at a meeting specially called for the purpose elect sufficient lay members to make a total of not more than eight, the term for which each member shall be elected to be a term of not less than one year and not more than four years and the term of each member to be in the discretion of the council. Additional lay members.
- (5) For the purpose of filling vacancies in the numbers of lay members elected by the council in accordance with the provisions of this section, the council may at any regular meeting or at a meeting called for the purpose elect necessary new lay members to increase the total number of lay members to not less than four and not more than eight, such member or members to be elected for a term of not less than one year and not more than four years, the term of each member to be in the discretion of the council. Vacancies in lay membership.
- (6) Any lay member elected in accordance with the provisions of this section shall be eligible for re-election. Eligibility of lay members for re-election.
- (7) The Synod members shall consist of four clergymen and four laymen who shall be members of the said Synod at the time of their election, and shall be elected and hold office for the following respective terms, namely: One clergyman and one layman for one year, one clergyman and one layman for two years, one clergyman and one layman for three years, and one clergyman and one layman for four years, any broken period of a year intervening between the date of such election and the date of termination of the official year, hereinafter defined, to be deemed a year within the meaning of this clause. Synod members.
- (8) The date of the termination of the official year, on which the periods of office of the Synod members shall respectively terminate, shall be the first day of June; retiring Synod members shall be eligible for re-election. Term of office of Synod members.

Vacancies in
Synod
members.

- (9) For the purpose of filling vacancies in the numbers of the Synod members, the said Synod shall, at its annual meeting, in each successive year subsequent to the first election of the Synod members, elect two new members of the council, in the place and stead of the two Synod members whose term of office has expired by lapse of time, one of such members being a clergyman and one a layman, and both being members of the Synod at the time of their election, and such two new members shall respectively hold office for the term of four years. The said Synod shall at the same time fill all such vacancies as shall have occurred in the numbers of the Synod members by death, resignation or otherwise than by lapse of time, by the election of the necessary numbers of additional new members, who shall be members of the Synod at the time of their election. Such additional members shall be elected respectively for terms of office equivalent to the unexpired terms of the respective members whose places they are elected to fill; and in such elections regard shall be had to the provision hereinbefore contained as to the relative proportion of clergy and laity in the said council.

Alumni
members,—
election,
term of
office and
qualification.

- (10) The two members of the council elected by the Alumni of the College shall continue to be elected at their annual meetings and to hold office for two years from the times of their respective elections and only duly ordained and strictly Protestant and Evangelical clergymen of the Church of England in Canada who hold the license of the Bishop of Huron and are not salaried employees of the College shall be eligible for election by the Alumni as aforesaid, and each member so elected shall before acting conform to all rules and regulations that are in force in respect of the remaining members of the council.

Alumni
members,—
when
ineligible for
re-election.

- (11) No member elected by the Alumni as aforesaid shall be eligible for re-election until at least one year has elapsed since the termination of his last term of office.

Declaration
of vacancies
and the
filling of
same.

- (12) If at any time whether by reason of mental or physical infirmity or otherwise any member of the council, other than the Bishop or the Principal, fails to attend the regular meetings of the council for at least one year, the council may by resolution declare the seat of such member to be vacant and thereupon the term of office of such member shall terminate, and it shall be lawful for the council to take the necessary steps to elect a member in the place and

stead

stead of the said last mentioned member for the residue of the term of his office.

3. Sections 1, 2, 3, 4, 5 and 6 of the said chapter 150 of the Statutes of Ontario, 1922, are hereby repealed. 1922, c. 150, ss. 1 to 6, repealed.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

CHAPTER 85.

An Act respecting the Township of King and the Township of West Gwillimbury.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporations of the township of King and the township of West Gwillimbury have by their petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Townships of King and West Gwillimbury Act, 1935.*

Minutes of settlement of action ratified.

2. Notwithstanding the provisions of any general or special Act the minutes of settlement of the action in the Supreme Court, wherein Holland Marsh Syndicate was plaintiff and D. J. MacDonald, treasurer of the county of York, and the corporation of the township of King, in the county of York, and W. W. Gardhouse, treasurer of the county of York, since May, 1933, and S. R. Manson, were defendants, as set out in Schedule "A," are ratified and confirmed and declared to be legal, valid and binding upon the respective parties to the action.

Council authorized to complete settlement.

3. The council of the corporation of the township of King may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers.

Issue of debentures.

4. The corporation of the township of King may provide by by-law for the issue or issues of debentures payable within twenty-two years from their date, for the sum of \$26,596.93 for the purposes mentioned in the said settlement.

Assessment and special rate.

5. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 4 there shall be raised annually by the corporation of the township of King, during the currency of the debentures a sum sufficient to pay the said debenture debt and interest

when

when and as the same shall respectively become due and such sums shall be levied and collected by special rates over and above all other rates on the following property, being all and singular those certain parcels or tracts of lands and premises situate, lying and being in the township of King, in the county of York, and more particularly described as follows: Lot 8, first concession, new survey, except that part outside drainage canal; lot 9, first concession, new survey, except that part outside of drainage canal; lot 7, second concession, new survey; lot 8, second concession, new survey; lot 9, second concession, new survey; lot 10, second concession, new survey; lot 11, second concession, new survey; lot 13, second concession, new survey; the north thirty-five acres of lot 14, second concession, new survey; lots 11, 12 and 13, third concession, new survey; lot 14, third concession, new survey; that part of the west half of lot 7 inside of drainage canal, third concession, old survey; that part of lot 8, inside of drainage canal, third concession, old survey, and lot 16, third concession, old survey, all in the township of King, in the county of York, and such levy shall be apportioned on said lots as set out in Schedule "A" referred to in section 2 hereof.

6. Upon default being made in the payment of taxes on any of the following lands: Lot 8, first concession, new survey, except that part outside drainage canal; lot 9, first concession, new survey, except that part outside of drainage canal; lot 7, second concession, new survey; lot 8, second concession, new survey; lot 9, second concession, new survey; lot 10, second concession, new survey; lot 11, second concession, new survey; lot 13, second concession, new survey; the north thirty-five acres of lot 14, second concession, new survey; lots 11, 12 and 13, third concession, new survey; lot 14, third concession, new survey; that part of the west half of lot 7 inside of drainage canal, third concession, old survey; that part of lot 8 inside of drainage canal, third concession, old survey, and lot 16, third concession, old survey, all in the township of King, in the county of York, for the year 1935, during the year 1935, such lot or lots for which the taxes for the year 1935 have not been paid during the year 1935 shall vest in the corporation of the township of King, or its nominee or nominees, as designated by by-law of the said township, free from all encumbrances or claims whatsoever. Provided, however, that the council of the corporation of the township of King may exempt all or any part of the lands described herein from this provision, upon such terms as may be agreed on by the said council.

Vesting of
land on
default of
payment of
1935 taxes.

7. The money raised from the sale of debentures shall be used as provided in the agreement set forth in Schedule "A".

Disposition
of money.

8. The minutes of settlement of the action in the Supreme Court, wherein Holland Marsh Syndicate was

Minutes of
settlement of
action
ratified.

plaintiff

plaintiff and D. H. Coleman, treasurer of the county of Simcoe, and the corporation of the township of West Gwillimbury, were defendants, as set out in Schedule "B," are ratified and confirmed and declared to be legal, valid and binding upon the respective parties to the action.

Council
authorized to
complete
settlement.

9. The council of the corporation of the township of West Gwillimbury may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers.

Issue of
debentures.

10. The corporation of the township of West Gwillimbury may provide by by-law for the issue or issues of debentures payable within twenty-one years from their date for the sum of \$15,914 for the purposes mentioned in Schedule "B".

Assessment
and special
rate.

11. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 10, there shall be raised annually by the corporation of the township of West Gwillimbury, during the currency of the debentures, a sum sufficient to pay the said debenture debt and interest, when and as the same shall respectively become due, and such sums shall be levied and collected by special rates over and above all other rates on all the following property, being all and singular those certain parcels or tracts of land and premises, situate, lying and being in the township of West Gwillimbury, in the county of Simcoe, and more particularly described as follows: The whole of township lots 4, 5, 6 and 7 in the first concession; the whole of township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11 in the second concession; the whole of lot 11 (except $11\frac{1}{2}$ acres patented by metes and bounds to John McFarland) and lots 14 and A in the third concession; the south half of township lot number 14 and that portion of lot 15 particularly described in deed registered in the registry office for the county of Simcoe on the 22nd day of May, 1925, as number 7071, and the whole of lot 16 in the fourth concession; the whole of township lots 16 and 17 in the fifth concession, and such levy shall be apportioned on said lands as set out in Schedule "B" referred to in section 8 hereof.

Vesting of
land on
default of
payment of
1935 taxes.

12. Upon default being made in the payment of taxes on any of the following lands: The whole of township lots 4, 5, 6 and 7 in the first concession; the whole of township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11 in the second concession; the whole of lot 11 (except $11\frac{1}{2}$ acres patented by metes and bounds to John McFarland) and lots 14 and A in the third concession; the south half of township lot 14 and that portion of lot 15 particularly described in deed registered in the registry office for the county of Simcoe, on the 22nd day of May, 1925, as

number

number 7071, and the whole of lot 16 in the fourth concession; the whole of township lots 16 and 17 in the fifth concession, all in the township of West Gwillimbury, in the county of Simcoe, for the year 1935, during the year 1935, such lot or lots for which the taxes for the year 1935 have not been paid during the year 1935, shall vest in the corporation of the township of West Gwillimbury, or its nominee or nominees as designated by by-law of the said township, free from all encumbrances or claims whatsoever. Provided, however, that the council of the corporation of the township of West Gwillimbury may exempt all or any part of the lands herein from this provision upon such terms as may be agreed on by the said council.

13. The money raised from the sale of debentures shall be used as provided in the agreement set forth in Schedule "B". Disposition of money.

14. The provisions of *The Assessment Act* shall apply to the collection and recovery of all special rates imposed under the provisions of this Act. Provisions of Rev. Stat., c. 238, to apply.

15. Debentures issued under the provisions of the by-laws above referred to shall bear interest at such rate, not to exceed five and one-half per centum per annum, as the council of each of the said corporations shall in said by-law determine and the principal and interest thereof shall be made payable in equal annual instalments. Rate of interest.

16. No irregularity in the form of any of the debentures issued under the authority of this Act, or in any of the by-laws authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporations for the recovery of the amount thereof, or any part thereof, or the interest thereon. Irregularity in form not to invalidate.

17. If upon the sale of the said debentures by either of the said corporations a surplus is derived, the amount thereof shall be applied in reduction of the special rates to be levied under the authority of this Act in each of the years during which such debentures are current, and shall not be applied to any other purpose. Application of debenture surplus.

18. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act

SCHEDULE "A"

This Agreement made this 15th day of March, 1935.

BETWEEN:

JOHN AINSLIE BAIRD, of the Town of Sarnia, in the County of Lambton; WILLIAM H. DAY, of the Village of Bradford, in the County of Simcoe; and JOHN MUNRO, of the City of Hamilton, in the County of Wentworth, Administrator of the Estate of DUNCAN PAUL MUNRO, late of the City of Guelph, in the County of Wellington, being all the Members of the HOLLAND MARSH SYNDICATE, hereinafter called the "Parties"

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF KING, in the County of York, hereinafter called the "Corporation"

of the second part.

Whereas The Holland Marsh Syndicate was the owner of certain lands in the Township of King, in the County of York, held in the name of William H. Day;

And whereas on the second day of November, 1931, certain lands of the above mentioned Syndicate in the Township of King were sold at a Tax Sale to S. R. Manson of the City of Hamilton in the County of Wentworth for the sum of \$11,228.00;

And whereas on the twenty-second day of September, 1932, Lots 8 and 9 in the First Concession, Township of King, New Survey, were sold at a Tax Sale to H. M. Dignam and the said Sale was subsequently cancelled with the concurrence of the said Dignam;

And whereas the Holland Marsh Syndicate issued a Writ to set aside the said Sales of its said lands;

And whereas certain parts of the said Syndicate's lands so sold at the Tax Sale held on November second, 1931, have been, on instructions of S. R. Manson, conveyed by the Warden and the Treasurer of the County of York to Holland River Gardens Limited but no conveyance has been made of any of the other lands so sold;

And whereas it is agreed that the said Action, Litigation or Matter in Dispute shall be settled as follows:

1. The alleged Sale for Taxes held on the second day of November, 1931, of the following lands, being part of Lot 8, First Concession, New Survey; part of Lot 9, First Concession, New Survey; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey; Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; West half Lot 7, third Concession, Old Survey; Lot 8, Third Concession, Old Survey; all in the Township of King, in the County of York, and also the alleged sale for taxes held on the 22nd day of September, 1932, of Lots 8 and 9, First Concession, New Survey, Township of King, shall be set aside. The assessments up to and including the year 1934, Tax Sale and Tax deed of the following lands, being that part of Lot 9, inside of Drainage Area, and Lots 10,

14 and 15, all in the Third Concession, Old Survey, Township of King, County of York, conveyed to Holland River Gardens Limited shall be confirmed.

2. The arrears of taxes on Lot 8, First Concession, New Survey; Lot 9, First Concession, New Survey; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey; Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; west half of Lot 7, Third Concession, Old Survey; Lot 8, Third Concession, Old Survey, all in the Township of King, in the County of York, for the years 1927, to the years 1934, inclusive, and the balance of the arrears of taxes on Lot 16, Third Concession, Old Survey, Township of King for the years 1927 to 1934 inclusive, together with the costs of said litigation and the obtaining of a Private Bill to confirm this agreement, amount to \$26,596.93, and it is agreed that application shall be made to the Legislature of the Province of Ontario for a Private Bill authorizing the Corporation to borrow the said sum of \$26,596.93 and to issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within twenty-two years from the date of the said debentures with interest at a rate not to exceed 5½ per centum per annum, the said debentures to be payable in twenty-two equal annual instalments, including both principal and interest, and one of the said instalments to fall due each year during the said period, and for authority to assess each year during the said period of twenty-two years against the following lots and parts of lots: Lot 8, First Concession, New Survey, except that part outside of Drainage Canal; Lot 9, First Concession, New Survey, except that part outside of Drainage Canal; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey; Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; that part of the west half of Lot 7 inside of Drainage Canal, Third Concession, Old Survey; that part of Lot 8, inside of Drainage Canal, Third Concession, Old Survey, and Lot 16, Third Concession, Old Survey, all in the Township of King in the County of York, a special rate sufficient to meet the said debenture instalment as and when the same shall become due, the said special rate to be assessed, levied and collected over and above all other rates, and to be levied and collected in the same manner and at the same time as other rates are levied and collected, and the share of the said special rate to be levied against each of the said lots and parts of lots shall be determined in the same manner and be according to the same relative proportions as said lots and parts of lots were assessed under the original Drainage By-law of the Corporation of the Township of King Number 476 enacted on the 30th day of October, 1926.

3. It is agreed that the said Corporation shall apply to the next session of the Legislature for the Province of Ontario for an Act to confirm the several terms and provisions hereof and to authorize the Corporation to sell the said debentures and to make the said assessments and to terminate the said litigation.

4. In the event that the Parties of the First Part fail to pay or cause or procure to be paid during the year 1935, the taxes properly assessed and levied during the year 1935 against any of the said parcels, including the amount to be assessed as herein provided to meet the Debentures to be issued as aforesaid, the Parties of the First Part will grant and convey to the Defendant Municipality, or to its nominee or nominees, each and every parcel of the said lands in respect of which such default shall occur, and on failure to convey the said lands free from encumbrances the said lands shall vest in the Corporation or its nominee or nominees free from all encumbrances, and the Private Bill of the Legislature shall provide for the vesting of the land in the Corporation of the Township of King or its nominee or nominees free from all incumbrances and free from all and every claim of the Parties of the First Part. Provided,

however,

however, that if during the year 1935 the Parties of the First Part shall procure a Purchaser of any part of the said lands to settle thereon, or shall procure such a Purchaser to execute substantial improvements or development work upon any of the said lands, or shall themselves do or cause to be done such improvements or development work, the Parties of the First Part may apply to the Council of the Corporation of the Township of King, either before or after the sale of the said lands, or the doing of the said work, and with the sanction and approval of the said Council, any such parcel may be exempted upon such terms as may be agreed upon, from the provisions of this clause, in respect to the conveying of the lands to the Corporation, or its nominee, or the vesting of the said land in the said Corporation or its nominee or nominees.

5. On the sale of the Debentures The Corporation of the Township of King will pay to the said Holland Marsh Syndicate the sum of \$3,200, its costs of the litigation, and the balance (less profit, if any, on sale of any of said debentures above par) shall be credited to the General Funds of the Township of King in payment of the taxes and assessments imposed on the Syndicate's said lands as described in the first part of paragraph 2 hereof during the years 1927 to 1934, except the sum of \$4,225, which shall be applied to defray the costs of the Township of King in the litigation and of the Private Bill.

6. The Parties of the First Part agree and consent to the Corporation of the Township of King applying at the next Session of the Legislature of the Province of Ontario for an Act to enable it to carry out the terms embodied in this Agreement.

7. The Corporation of the Township of King will, on the obtaining of the necessary legislation, pass a Debenture By-law to authorize the issue of Debentures, as provided herein and will endeavour to sell the same and carry out the terms of this Agreement. Upon obtaining the Special Legislation as aforesaid the said Action shall be dismissed without costs, save as hereinbefore provided.

8. In the event of it being found after investigation into the costs of the Drainage Scheme that the Township of King has assessed the said lands of the Syndicate in excess of the amount properly chargeable against the said lands for the cost of the said Scheme, then the by-laws subsequent to By-law 476 shall be amended and assessments adjusted so that proper credit shall be given for any amount or amounts assessed or charged over and above the amount properly assessable or chargeable according to the costs of the said Drainage work as so found.

In witness whereof the parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED

in the presence of

FASKEN, ROBERTSON, AITCHISON,
PICKUP & CALVIN,

Per J. W. PICKUP,
Solicitors for Holland Marsh
Syndicate.

NAUGHTON & JENKINS,
Solicitors for the Township of King.

SCHEDULE "B"

This Agreement made this 15th day of March, 1935.

BETWEEN:

JOHN AINSLIE BAIRD, of the Town of Sarnia, in the County of Lambton; WILLIAM H. DAY, of the Village of Bradford, in the County of Simcoe; and JOHN MUNRO, of the City of Hamilton, in the County of Wentworth, Administrator of the Estate of DUNCAN PAUL MUNRO, late of the City of Guelph, in the County of Wellington, being all the Members of the HOLLAND MARSH SYNDICATE, hereinafter called the "Parties"

of the First Part;

—and—

THE CORPORATION OF THE TOWNSHIP OF WEST GWILLIMBURY, in the County of Simcoe, hereinafter called the "Corporation"

of the Second Part;

—and—

D. H. COLEMAN, Treasurer of the County of Simcoe,

of the Third Part.

Whereas The Holland Marsh Syndicate was the owner of certain lands in the Township of West Gwillimbury, in the County of Simcoe, held in the name of William H. Day.

And whereas certain of the lands of the above mentioned Syndicate in the Township of West Gwillimbury were sold to the Corporation of the Township of West Gwillimbury for alleged arrears of taxes owing thereon.

And whereas The Holland Marsh Syndicate issued a writ in the Supreme Court of Ontario to set aside the said sale of its said lands;

And whereas it is mutually agreed between the Parties hereto that the said action, litigation, or matter in dispute shall be settled as follows:

1. The alleged sale for taxes of the following lands:

(a) The whole of Township lots 4, 5, 6 and 7 in the First Concession.

(b) The whole of Township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11, in the Second Concession.

(c) The whole of lot 11 (except 11½ acres patented by metes and bounds to John McFarland) and lots 14 and A in the Third Concession.

(d) The south half of Township lot Number 14 and that portion of lot 15 particularly described in deed registered in the Registry Office for the County of Simcoe on the 22nd day of May, 1925, as Number 7071 and the whole of lot 16 in the Fourth Concession.

(e) The whole of Township lots 16 and 17 in the Fifth Concession; all in the Township of West Gwillimbury, in the County of Simcoe, shall be set aside.

2. The arrears of taxes on the said lands for the years 1927 to the year 1934 inclusive, together with the costs of said litigation and the obtaining

of a Private Bill to confirm this agreement amount to \$15,914.00, and it is agreed that application shall be made to the Legislature of the Province of Ontario for a Private Bill authorizing the Corporation to borrow the said sum of \$15,914.00 and to issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within twenty-one years from the date of the said debentures with interest at the rate of $4\frac{1}{2}$ per centum per annum, the said debentures to be payable in twenty-one equal annual instalments, including both principal and interest, and one of the said instalments to fall due each year during the said period; and for authority to assess each year during the said period of twenty-one years against the said lots and parts of lots a special rate sufficient to meet the said debenture instalment falling due in such year, the said special rate to be assessed, levied and collected over and above all other rates, and to be levied and collected in the same manner and at the same time as other rates are levied and collected, and the share of the said special rate to be assessed and levied against each of the said lots and parts of lots shall be determined in the same manner and be according to the same relative proportions as the said lots and parts of lots were assessed under the Original Drainage By-law of the Corporation of the Township of West Gwillimbury Number 595-A enacted on the 30th day of May, 1925.

3. It is agreed that the said Corporation shall apply to the next session of the Legislature for the Province of Ontario for an Act to confirm the several terms and provisions hereof and to authorize the Corporation to sell the said debentures and to make the said assessments and to terminate the said litigation.

4. In the event that the said parties of the First Part fail to pay or cause or procure to be paid, during the year 1935, the taxes properly assessed and levied during the year 1935 against any of the said lots or parts of lots, including the amount to be assessed as herein provided to meet the said debentures, the parties of the First Part will release and quit claim unto the Corporation or its nominee or nominees each and every lot or part of lot in respect of which such default shall occur, and on failure to so convey the said lot or part of lot shall vest in the Corporation or its nominee or nominees and the said Private Bill of the Legislature shall provide accordingly; provided, however, that if, during the year 1935, the Parties of the First Part shall procure a purchaser of any part of the said lands to settle thereon or shall procure such a purchaser to execute substantial improvements or development work upon any of the said lands or shall themselves do or cause to be done such improvements or development work, the Parties of the First Part may apply to the Council of The Corporation of the Township of West Gwillimbury either before or after the sale of the said lands or the doing of the said work and with the sanction and approval of the said Council any such parcel may be exempted upon such terms as may be agreed upon from the provisions of this clause in respect to the conveying of the lands to the Corporation or its nominee or the vesting of the said land in the said Corporation or its nominee or nominees.

5. On the sale of the said debentures, The Corporation of the Township of West Gwillimbury will pay to the said Holland Marsh Syndicate the sum of \$200.00 on account of its costs of the said litigation and the balance shall be credited to the general funds of the Township of West Gwillimbury in payment of the taxes and assessments imposed on the Syndicate's said lands during the years 1927 to 1934 inclusive, except the sum of \$350.00 which shall be applied to defray the costs of the Township of West Gwillimbury in the litigation and of the said Private Bill.

6. Upon the issuing of the said debentures, the Corporation shall pay to the said Syndicate the sum of \$200.00 on account of its costs as aforesaid.

7. Upon the Legislature for the Province of Ontario approving of the proposed Private Bill, the said action in the Supreme Court of Ontario shall be dismissed without costs save as set forth herein.

8. It is further agreed between the Parties hereto that the Corporation will procure from the Engineer in charge of the construction of the Holland Marsh Drainage Works, or other competent authority, a statement

showing the total cost thereof, together with a statement of the proceeds of all debentures sold by the said Corporation in connection with the Holland Marsh Drainage Scheme and any other moneys paid or payable in connection with the said Drainage Scheme, and after it is ascertained whether there be any deficiency of receipts to pay the said total cost after credit has been given for the proceeds of debentures sold in the years 1926 and 1927, an adjudication shall be made by the Engineer in charge of the said Drainage Works, or other competent Engineer appointed therefor, apportioning the amount of the said total cost not so paid or provided for among the Municipalities of The Corporation of the Township of West Gwillimbury, the Corporation of the Township of King and the Corporation of the Village of Bradford.

In witness whereof the Parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED

in the presence of:

FASKEN, ROBERTSON, AITCHISON,
PICKUP & CALVIN.
Per J. W. PICKUP,

Solicitors for Holland Marsh
Syndicate.

EVANS & EVANS,
Solicitors for Township of West
Gwillimbury.

BOYS & BOYS,
Solicitors for D. H. Coleman,
Treasurer County of Simcoe.

CHAPTER 86.

An Act respecting the City of London.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1935.*

Authority to
issue debentures for cost
of York
Street
bridge.

2. The corporation of the city of London may pass a by-law to borrow, and may borrow, the sum of \$80,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine, to provide moneys to pay for the erection of a new bridge crossing the River Thames at York Street in the city of London, without submitting the by-law to the electors of the said city for their assent.

Authority to
issue debentures for
grade
separation
purposes
(London and
Port Stanley
Railway).

3. The said corporation may pass a by-law, or by-laws, from time to time, to borrow, and may borrow, a sum not exceeding \$300,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine to provide moneys to pay the amount required to be paid by the London and Port Stanley Railway Company for its share of grade separation costs in the said city of London, without submitting the by-law or by-laws to the electors of the said city for their assent, and the amount so borrowed shall, until repaid by the said company to the said corporation, be and remain a lien and charge upon the said railway and the franchise, tolls, revenues and other property of the said railway now owned or possessed or hereafter owned or possessed by the said company.

4. The council of the said corporation may, from time to time, pass by-laws for licensing, regulating and governing persons, firms and corporations, who sell or offer for sale ice in the city of London, for domestic purposes from a booth or booths, and for charging a fee not exceeding two dollars for each of such licenses, and for revoking such licenses, and the council of the said corporation may refuse any such license, and it shall not be bound to give any reason for refusing or revoking a license, and its action shall not be open to question or review by any court.

Power to
license sales
of ice from
booths.

5. The provisions made by the last will and testament and codicils thereto of Elsie P. Williams, in her lifetime of the township of London in the county of Middlesex, widow, deceased (probate whereof was granted by the Surrogate Court of the county of Middlesex on the 10th day of October, 1934) for or for the benefit of the corporation of the city of London are legal and valid, and the said corporation is authorized to accept the provisions made for it by the said will and codicils and to carry out the terms thereof.

Validation of
will (and
codicils) of
Elsie P.
Williams,
deceased.

6.—(1) All sales of land within the city of London made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the city of London or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his heirs, or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser, or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Confirma-
tion of tax
sales and
conveyances.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending
litigation not
affected.

7. The undertakings by the said corporation, for the relief of unemployment, of works consisting of the repairing of certain streets, construction of sewers, widening of pavements, repairing and improving sidewalks, improvement of parks, Western University improvements, wood cutting, completion

Confirma-
tion of
unemploy-
ment relief
works.

of Mill Creek fill on London and Port Stanley Railway and other works at a total cost of \$148,718 are hereby declared to be legal and valid.

Authority to
issue debentures for
unemployment relief
works—
\$148,718.

8.—(1) The said corporation may pass a by-law or by-laws to borrow, and may borrow a sum not exceeding \$148,718 for the purposes mentioned in section 7 of this Act, and may issue debentures therefor from time to time for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per centum per annum as the said council may determine to provide moneys to defray the cost of the works mentioned in section 7 of this Act without submitting the by-law or by-laws to the electors of the said city for their assent.

Approval of
Municipal
Board
requisite.

(2) No by-law shall finally be passed under the provisions of subsection 1 until the same has first been approved by the Ontario Municipal Board.

Compliance
with
Rev. Stat.,
c. 233, not
requisite.

9. It shall not be necessary for the said corporation to observe, in respect of the by-laws mentioned in sections 2, 3 and 8 of this Act, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularities
not to
invalidate.

10. No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or the interest thereon.

Commence-
ment of Act.

11. This Act, other than section 6, shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1935.

CHAPTER 87.

An Act respecting the City of London and City Gas Company of London.

Assented to April 18th, 1935.

WHEREAS the corporation of the city of London and City Gas Company of London have by their petitions prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The City of London (Gas Franchise) Act, 1935.* Short title.

2. The council of the corporation of the city of London may submit a by-law to grant the right to City Gas Company of London to supply to the said corporation and to the inhabitants of the said city gas, including natural gas, to the municipal electors of the said city for their assent, as provided for by section 3 of *The Municipal Franchises Act*, at any time during the year, instead of only on the day fixed for taking the poll at the annual municipal election, as required by subsection 4 of section 271 of *The Municipal Act*. Authority to submit gas franchise to electors at any time during the year.
Rev. Stat., c. 240.
Rev. Stat., c. 233.

3. The council of the said corporation may grant to City Gas Company of London the right to supply to the said corporation and to the inhabitants of the said city gas, including natural gas, for a period not exceeding twenty years, in the event of the by-law setting forth the terms and conditions upon which and the period for which such right is to be granted, being assented to by the municipal electors as required by section 3 of *The Municipal Franchises Act*, in which event the said company shall be entitled to operate under such by-law but subject to the terms and conditions thereof and of any agreement referred to therein or entered Gas franchise may extend for twenty years.
Rev. Stat., c. 240.

into

into pursuant thereto, and shall have the right to supply gas in accordance with such terms and conditions.

Commence-
ment of Act. 4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 88.

An Act respecting the Municipality of Neebing.

Assented to April 18th, 1935.

WHEREAS the corporation of the municipality of Neebing has by petition represented it is desirable in the interest of the ratepayers of the said municipality that all its assessment and collectors' rolls, all its collectors' returns, and all tax sales held prior to the 31st day of December, 1933, by the said corporation should be validated, and has by such petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Municipality of Neebing Act, 1935.* Short title.

2.—(1) All sales of land within the municipality of Neebing made prior to the 31st day of December, 1933, which purport to have been made by the said corporation or its proper officers for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all conveyances of the lands so sold, executed, or which may or shall hereafter be executed by the proper officers of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold. Confirmation of tax sales and conveyances.

3. Nothing in this Act contained shall affect or prejudice the rights of any person under any action, litigation or other Pending litigation not affected.

proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commence-
ment of
Act.

4. This Act, other than section 2, shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1935.

CHAPTER 89.

An Act respecting the Township of North York.

Assented to April 18th, 1935.

WHEREAS the corporation of the township of North Preamble.
York has by its petition prayed for special legislation
in regard to the matters hereinafter set forth; and whereas it
is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and
consent of the Legislative Assembly of the Province of
Ontario, enacts as follows:

1. This Act may be cited as *The Township of North York* Short title.
Act, 1935.

2. The corporation of the township of North York may by Exemption
by-law, which for its validity shall not require the assent of from taxa-
the electors qualified to vote on money by-laws, exempt tion of new
wholly or partially from municipal taxation, except taxation dwellings.
for school purposes and local improvements, for the whole or
any part of the period of five years next ensuing from and
after the 1st day of January, 1935, all new dwelling-houses
erected in the said township during the said period.

3. No part of the said township shall, for a period of five Limitation
years after this Act comes into force, be annexed to any of annexa-
adjoining municipality, or be incorporated as a municipality tions.
separate and apart from the said township, without the assent
of the municipal electors of the said township obtained on the
submission of a question for that purpose in conformity with
the provisions of *The Municipal Act*. Rev. Stat.,
c. 233.

4. The said corporation may by by-law amalgamate two Amalga-
or more or all water areas in the said township into one water mation of
area or make the whole of the said township or any portion water areas.
thereof one water area.

5.—(1) All sales of land within the township of North York Confirma-
made prior to the 31st day of December, 1933, and purporting tion of tax
to have been made by the corporation of the township of sales and
North York, or its treasurer, for arrears of taxes in respect to conveyances.
land so sold are hereby validated and confirmed and all con-
veyances of land so sold executed by the reeve and treasurer

of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold and conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges or encumbrances thereon, and dower therein except taxes accruing after those for non-payment of which the land was sold.

Pending
litigation
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Application
of
Rev. Stat.,
c. 238, ss. 14
and 15
to township.

6. The said township shall be deemed to be a village for the purposes of sections 14 and 15 of *The Assessment Act*, and the said sections shall be applicable to the said township.

Creation of
public school
area.

7.—(1) The council of the said corporation may by by-law, passed with the consent of a majority of the whole number of the members of the council before the 1st day of July in any year, set apart one or more public school sections in the said township or the whole township as a public school area or areas and declare that thereafter the public school sections included in the township or in said public school area or areas set forth in such by-law shall cease to exist and that the public school boards having jurisdiction therein shall be dissolved.

Present
boards to
continue
temporarily.

(2) Any such by-law shall take effect from the 25th day of December in the year in which the same is passed but all school boards in such school sections as are included in the public school area or areas shall remain in office until the school board has been elected and organized as hereinafter provided. After any such by-law has been passed the following subsections of this section shall apply.

Formation
of board for
school area.

(3) There shall be a board of public school trustees for the said township or for each public school area set apart by the council and the board shall consist of five members for each public school area, except where the whole of said township is made a public school area in which case the board shall consist of seven members, three of whom shall be elected from Ward 2, two shall be elected from Ward 1 and two from Ward 3.

Name of
board.

(4) Where the whole of the said township is made a public school area, the board of public school trustees for the said township

township shall be a corporation by the name of "North York Public School Board" herein referred to as the "school board," and where a part or parts only of the said township is made a public school area or areas the board of public school trustees for such area or each of such areas shall be a corporation by the name of "North York Public School Board for Area Number [inserting the number set forth in the by-law creating such area]" herein referred to as the "Area school board."

(5) Upon the election and organization of the school board or area school board, the boards of public school trustees for every school section forming part of the public school area or areas for or in the township shall be dissolved and all the property, real and personal vested in the board of any such school section shall be vested in and become the property of the school board or area school board. Dissolution of existing boards.

(6) The school board or area school board shall be responsible for and shall discharge all liabilities and obligations of each of the said school sections forming the public school area and the indebtedness of the board of any school section shall be provided for by a general rate levied upon all property liable to taxation for public school purposes in the said public school area. Discharge of obligations.

(7) For the year following the year in which the by-law takes effect and in each year thereafter the members of the school board or area school board shall be elected by ballot. The nomination and election of members of the school board shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council and the provisions of *The Municipal Act* respecting the time and manner of holding the elections, the mode of receiving nominations for office, the resignation of persons nominated or elected, vacancies, recounts and declarations of qualification of office shall, *mutatis mutandis*, apply to the elections. Elections by ballot. Rev. Stat. c. 233.

(8) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the public school area containing the names of candidates for members of the school board or area school board in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter, provided that where the whole township is made a public school area the clerk shall prepare one set of ballot papers for each of the polling subdivisions in each of the wards named in subsection 3. Form of ballot.

Qualifica-
tions of
members of
the board.

(9) Every ratepayer who resides in the public school area or the township, as the case may be, and who is a British subject, and who is of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the school board or area school board of the public school area in which he resides. The provisions of sub-sections 4, 4a, 4b and 4c of section 15 of *The Public Schools Act* shall apply *mutatis mutandis* to the election and terms of office of the members of the school board or area school board.

Rev. Stat.,
c. 323.

Qualifica-
tions of
voters.

(10) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections and in the public school area or township, as the case may be shall be entitled to vote at an election of members of the school board or area school board, excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

First
meeting.

(11) The school board or area school board shall hold its first meeting in each year on the second Wednesday in January at the hour of eight o'clock in the afternoon or at such other hour on the same day and at such place as may have been fixed by resolution of the board of the preceding year, or, if no place has been so fixed, at the usual place of meeting of the municipal council.

Application
of Rev. Stat.,
c. 323.

(12) The school board and every area school board and the members thereof shall have, *mutatis mutandis*, the same powers and duties as are prescribed by *The Public Schools Act* for boards of trustees in urban municipalities and all the provisions of *The Public Schools Act* relating to urban school boards shall apply to the school board or area school board and to the schools under its jurisdiction, except where inconsistent herewith; provided that the provisions of clause d of section 88 of the said Act relating to rural schools shall continue to apply to the schools in the said township.

Rev. Stat.,
c. 323, s. 109,
not to apply.

(13) The provisions of section 109 of *The Public Schools Act* shall not apply to that part of the township which forms a public school area or to the said township if the whole of it forms one public school area.

Additions to
school area.

(14) Where only a part of the said township is set apart as a public school area the council may by by-law passed with the consent of the majority of the whole number of the members hereof before the 1st day of July in any year, add any further part of the township to the public school area and thereafter the provisions of this section shall apply.

8.—(1) Legislative grants for the support of public schools shall until the 31st day of December, 1940, be paid on the basis of the equalized assessment, less income assessment, of the said township for the year 1930. Legislative grants.

(2) Subsection 1 shall apply until the 31st day of December, 1940, notwithstanding that a public school area has been set apart under section 7. The said legislative grants shall be paid as if the whole township had continued to be divided into rural school sections. Rural grants.

9.—(1) All rights and claims between the respective parts of the said township comprising the several school sections united into a public school area or the several areas amalgamated or brought into one water area under the authority of this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by the Ontario Municipal Board within three months after the passing of a by-law uniting such school area or amalgamating such water areas. Adjustment of rights and claims.

(2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, shall be applicable. Jurisdiction of Municipal Board and Referee. 1932, c. 27.

(3) A referee appointed under this section shall proceed to hear and report to the said board upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee for his services shall be paid such fee as the said board may direct and allow. Referee—report of.

(4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration. Consideration of report by Municipal Board.

(5) The said board may by its order adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying or amending the same shall be final and conclusive and not open to question or appeal, and the terms thereof shall be binding upon the said corporation and the ratepayers thereof, or of any school section or water area affected thereby. Adoption of report by Municipal Board.

Imposition
of special
rates.

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the rights and claims of any school section or other area.

When water
area by-laws
to take
effect.

(7) No by-law passed under the authority of section 4 shall come into force or take effect until such time as the said board may by its order direct, and no such order shall be issued until the said board has made an order under subsection 5 hereof.

Approval by
Minister of
Education.

(8) No by-law passed under the authority of section 7 or 10 shall come into force or take effect until the Minister of Education for Ontario has first approved the same, and no order shall be made by the said board under subsection 5 until the said approval of the Minister of Education has been obtained.

Formation
of a board of
education.

10.—(1) The council of the said corporation may by by-law passed with the consent of the majority of the whole number of the members of the council before the 1st day of July in any year unite the collegiate institute board of the said township and the school board or area school board of a public school area or areas formed under this Act or with the public school boards of any four or more of the school sections of the township into one board and it shall be a corporation by the name of "The Board of Education for the Township of North York," herein referred to as the "board of education" and shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education.

Composition
of a board of
education.

(2) The board of education shall consist of ten members to be elected or appointed as hereinafter provided:

(a) Where the school board or area school board of a public school area or areas is united with the collegiate institute board, six members shall be elected from the area over which the board of education has jurisdiction under the by-law uniting the said boards; or,

(b) Where the public school boards of four or more school sections are united with the collegiate institute board six members shall be elected from the area over which the board of education has jurisdiction under the by-law uniting the said boards; and

(c)

(c) Three of the members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*. Rev. Stat., c. 326.

(d) One member shall be appointed annually by the separate school boards or board as hereinafter provided, such member to be appointed at the first meeting in each year of such boards or board or so soon thereafter as may be.

(3) Until a separate school board is established for the whole of the said township the member of the board of education to be appointed by the separate school boards shall be appointed by the several separate school boards of the said township now or hereafter existing at a joint meeting of such boards to be held on the same day as is appointed for the first meeting in each year of the said boards, and after a separate school board is established for the whole of the said township the said member shall be appointed by it as provided in subsection 2. Separate school representative.

(4) Upon organization of the board of education the members of the said collegiate institute board and of the said public school board or boards then remaining in office shall cease to hold office, and all the property real and personal theretofore vested in the collegiate institute board of the said township and in the said public school board or boards shall become vested in and become the property of the board of education, and the board of education shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable. Vesting of properties in the board.

(5) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections. Election by ballot. Rev. Stat., c. 233.

(6) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township forming the area under the jurisdiction of the board of education containing the names of candidates for members of the board of education in the same form, *mutatis mutandis*, Form of ballot.

as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

Qualification
of members.

(7) Every ratepayer who resides in the township and in the area under the jurisdiction of the board of education and is a British subject, and of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the board of education. The provisions of subsections 6 to 13 of section 3 of *The Boards of Education Act* shall apply, *mutatis mutandis*, to the election and terms of office of the members of the board of education.

Rev. Stat.,
c. 323, c. 327.

Qualification
of voters.

(8) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections and in the area under the jurisdiction of the board of education shall be entitled to vote at an election of members of the board of education, excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

First
meeting.

(9) The first meeting of the board of education after its organization shall be held on the second Wednesday in January at the hour of eight o'clock in the evening at the council chambers, township of North York.

Future
meetings.

(10) Unless a date and place for the first meeting has been decided upon by the former board in any year, the board of education shall hold its first meeting in each year on the second Wednesday in January at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

Application
of Rev. Stat.
c. 327.

(11) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

Application
of general
school laws.

Rev. Stat.,
cc. 323, 326,
332, 1930,
c. 64.

(12) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act, 1930*, which are not inconsistent with *The Boards of Education Act* and with this Act shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the said township and to the board of education

as if the said township were an urban municipality not separated from the county.

(13) Nothing in this section shall affect or alter the basis of legislative grants for the support of public schools as provided in section 8 and the said grants shall continue to be paid as therein provided.

(14) No legislative or county grants or other amounts payable in respect of high schools, night schools, continuation schools, and vocational schools in the township of North York shall be reduced by reason of any of the provisions of this section.

(15) The trustees of the said collegiate institute board and of the said public school boards shall remain in office until the board of education has been organized.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 90.

An Act respecting the Ontario Association of Architects.

Assented to April 18th, 1935.

Preamble.

WHEREAS the Architects' Registration Board and the Ontario Association of Architects have by their petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Architects Act, 1935*.

THE ONTARIO ASSOCIATION OF ARCHITECTS

The Ontario Association of Architects continued.

2. The Ontario Association of Architects, hereinafter called the "Association," is continued as a body corporate.

Objects.

3. The objects of the Association shall be to promote and increase the knowledge, skill and proficiency of its members in all things relating to the profession of architecture, and to advance and maintain a high standard in the practice of architecture in Ontario, and to those ends to establish and maintain, or to assist in the establishment and maintenance of classes, schools, exhibitions or lectures in, and to promote public appreciation of architecture and the allied arts and sciences.

Power to hold real estate.

4. The Association may acquire by purchase, lease or otherwise and take and possess for its purposes, but for no other purposes, and after acquiring the same, may sell, mortgage, lease or dispose of any real estate.

Assets and liabilities of Association and Architects Registration Board consolidated.

5. The property and assets of the Association and the Architects' Registration Board shall, from and after the date of the coming into force of this Act, become the property of the Association and be vested in it, and all liabilities of the said Association and Board as of such date shall become liabilities of the Association and shall be paid and satisfied by it.

6. The head office of the Association shall be at the city Head Office of Toronto.

MEMBERSHIP

7. All persons whose names are in good standing as of the 30th day of June, 1935, on the Register of the Architects' Registration Board, pursuant to *The Architects Act, 1931*, and all persons hereafter admitted to membership in the Association pursuant to the provisions of this Act, shall be members of the Association and continue as such until such membership lapses or is suspended or cancelled in accordance with the provisions hereof.

All Registered Architects and Members.
1931, c. 43.

8. Membership in the Association shall be granted by the Registration Board of the Association on application to it, provided:

Qualifications for membership.

- (a) That the applicant is of good character;
- (b) That he is not less than twenty-one years of age;
- (c) That he has passed the prescribed examinations of the Registration Board of the Association or is exempted therefrom pursuant to its regulations;
- (d) Is domiciled in Ontario;
- (e) Is a British subject, or has taken the oath of allegiance and declared his intention of becoming a British subject.

9. Membership in the Association or temporary licenses to practise in Ontario may be granted upon such terms and subject to such conditions as the said Registration Board may by regulation provide, to any person who is a British subject domiciled outside of the Province of Ontario but within the British Empire who is a member of an association or society of architects within the British Empire recognized by the Board.

Non-resident Architects desiring to practise.

COUNCIL OF THE ASSOCIATION

10.—(1) There shall be a Council of the Association hereinafter called the "Council" which shall consist of six members who shall be elected and hold office as hereinafter provided and where the immediate past president of the Association has not been re-elected to Council, he shall also be a member thereof until he ceases to be the immediate past president, and Council shall have power by by-law to increase the number of its members.

Council of Association; number of Members.

Electoral
districts.

(2) At least one member of the Council shall be elected from each of five electoral districts to be known as the "Windsor," "Hamilton," "Toronto," "London" and "Ottawa" districts, and the said five districts for the purpose of the first election of Council shall be composed as set forth in Schedule "A" hereto; provided, however, that the Council may by by-law alter the composition of any of the said electoral districts and in any by-law increasing the number of members of Council may provide for the creation of one or more new electoral districts and for the election of at least one member of Council from each new district.

(3) The said electoral districts shall respectively include any city or separated town situate in any of the counties or districts forming part of such electoral districts.

Term of
office of first
members.

(4) At the first election of members of the Council the candidate in each electoral district receiving the highest number of votes shall be the member of the Council from that district and the sixth elected member of Council shall be the candidate other than those elected as aforesaid who receives the highest number of votes; and of the candidates so elected, the two highest candidates in the voting shall hold office until the 1st day of January, 1939; the third and fourth highest candidates shall hold office until the 1st day of January, 1938; and the fifth and sixth highest candidates shall hold office until the 1st day of January, 1937.

Of subse-
quent
members.

(5) Members of Council shall hold office for three years from the 1st day of January following the date of their election, except the members elected at the first election, whose term of office shall be as hereinbefore provided.

Filling
vacancies.

(6) Any member of Council may resign by letter addressed to the President of the Association, and every vacancy caused by the death, resignation or incapacity of any member shall be filled by a member of the Association appointed by a majority vote of the members of Council still in office, provided a quorum remains in office, otherwise an election shall be held to fill the vacancies, and a member of Council appointed or elected to fill a vacancy arising as aforesaid, shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated, and he shall be from the electoral district of the member whose place he is elected or appointed to fill.

Retiring
member not
eligible ex-
cept he be
President or
Vice-
president.

(7) A retiring member of Council shall not be eligible for re-election for the year immediately following his retirement,

except

except he be the President or Vice-President at the date of his retirement.

REGISTRATION BOARD

11.—(1) There shall be a Registration Board of the Association, hereinafter called the “Board.” The purpose of such Board shall be to continue and carry on the functions of the Architects Registration Board established under *The Architects Act, 1931*, except as herein varied. The Board shall be composed as follows:

- (a) One member of the Association to be appointed by the University of Toronto and one member of the Association by each other university, college, or body in the province of Ontario by law authorized to grant degrees in architecture and which establishes and maintains to the satisfaction of the Board a faculty, school or department of architecture in connection therewith, each member appointed under this clause to hold office for a period of three years from the 1st day of January following his appointment, provided, however, that the nominee, as of the date of the coming into force of this Act, of the University of Toronto appointed to the Architects’ Registration Board as constituted under *The Architects Act, 1931*, shall be the first representative under this clause, and he shall hold office until the 1st day of January, 1939.
- (b) One member of the Association to be appointed by the Lieutenant-Governor in Council, to hold office for a period of three years from the 1st day of January following his appointment, the first of such appointees to be the nominee of the Lieutenant-Governor in Council, as of the date of the coming into force of this Act, appointed to the Architects’ Registration Board as constituted under *The Architects Act, 1931*, and such appointee shall hold office until the 1st day of January, 1939.
- (c) Three members of the Association for the first appointee under clause *a* of this subsection and one additional member of the Association for each additional appointee under said clause *a*, these members to be elected in the manner hereinafter provided, and each to hold office for three years from the 1st day of January following his election, except that in the case of the first members of the Board elected under this clause, the one having the highest number of votes shall hold office until the

1st day of January, 1939, the one having the second highest number of votes until the 1st day of January, 1938, and the one having the third highest number of votes, until the 1st day of January, 1937.

Eligibility
for re-
appoint-
ment.

(2) Any member of the Board not otherwise disqualified shall be eligible for re-appointment or re-election at the expiration of his term, but a member of Council elected to the Board shall resign his seat on the Council before taking his seat on the Board, and a member of the Board, while in office, shall not be eligible for election to Council.

Filling
vacancies.

(3) Any member of the Board may resign by letter addressed to the Chairman of the Board, and every vacancy on the Board caused by the death, resignation or incapacity of any member, if such member has been appointed under clause *a* of subsection 1, shall be filled by the university, college or body which appointed him, and if such member has been appointed under clause *b* of subsection 1 by the Lieutenant-Governor in Council, and if such member has been elected under clause *c* of subsection 1 then by a majority vote of the members of the Board still in office, provided a quorum is still in office, otherwise an election shall be held to fill the vacancy, and members of the Board appointed or elected to fill vacancies arising as aforesaid, shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated.

ELECTIONS

Procedure
as to first
elections for
Council and
the Board.

12. The first election of members of the Council and of the elective members of the Board shall be held on the third Monday in June, 1935, and except as herein otherwise provided, the procedure as to nominations, balloting, counting of votes, and the breaking of a tie in respect of such first elections, shall be in accordance with the regulations of the Architects' Registration Board appointed under *The Architects Act, 1931*, relating to the election of members of the Board, as such regulations exist on the 1st day of May, 1935; provided, however, that there shall be separate ballots for the election of the members of Council and of the members of the Board.

Right to
vote.

13. All persons who are on the 15th day of May, 1935, on the register of the Architects' Registration Board, pursuant to *The Architects Act, 1931*, and not under suspension, shall be entitled to vote at the first election for Council, and at the first election for the elective members of the Board, and thereafter all members of the Association shall be entitled to vote at such elections.

POWERS OF THE BOARD

14.—(1) The Board may make regulations:—

- (a) For the admission of members of the Association and the annual renewal of membership therein; Board may make regulations.
Admission of members and annual renewal.
- (b) Prescribing the qualifications of persons to be admitted and the proofs to be furnished as to education, good character and experience; Qualifications.
- (c) Prescribing examinations for admission, and the method of conducting them; Examinations.
- (d) For keeping a register of members of the Association and for issuing certificates of membership under the seal of the Association and calling in such certificates where membership lapses or is cancelled or suspended. Register and certificates of membership.
- (e) Prescribing the fees to be paid on admission of members to the Association and by associates and student associates, on examinations and on annual renewal of membership in the Association and as annual fees by associates and student associates; Fees.
- (f) Providing for the discipline and control of members of the Association including provision for the signing or sealing of drawings and specifications prepared by members of the Association; Discipline and control.
- (g) Providing for the cancellation of membership for non-payment of fees, and for the cancellation of membership where a member changes his domicile to some place outside the British Empire; Cancellation of membership for non-payment of fees.
- (h) Providing for the election of members of the Council and of the elective members of the Board other than the first elections of such members, and for the holding of meetings of the Board and for fixing the quorum of the Board; Elections, holding of meetings and quorum of the Board.
- (i) For the election of a Chairman and Vice-Chairman and the appointment of a Secretary and such other officers of the Board as it may desire and for prescribing their duties, and subject to the provisions hereinafter contained, for fixing the remuneration to be paid to them; Officers of the Board.
- (j) For granting temporary licenses to practise architecture pursuant to section 9 and fixing the fees to be paid thereon; Temporary licenses.
- (k) Generally for the better carrying out of the powers vested in the Board. General powers.

Publication
of regula-
tions.

(2) A copy of such regulations shall be furnished to every member of the Association.

Disciplinary
regulations.

(3) Subject to the approval of the Lieutenant-Governor in Council, the Board may make regulations:—

- (a) Providing for the investigation of any complaint that a member of the Association has been guilty of misconduct or incompetence, so as to render it desirable in the public interest that his membership be suspended or cancelled;
- (b) Providing for the cancellation or suspension of the membership of any person found by the Board to be guilty of misconduct or incompetence and for the publication in the public press of notice of such cancellation or suspension and the reason therefor;
- (c) Providing for the terms and conditions on which a member whose membership has been cancelled may in a proper case be restored to membership.

Publication.

(4) Any regulations made under subsection 3 shall be published for two consecutive weeks in the *Ontario Gazette* and shall not take effect until so published and a copy thereof shall be furnished to every member of the Association.

POWERS AND DUTIES OF THE COUNCIL

Council may
pass by-
laws.

15. The Council of the Association may pass by-laws for:—

Control and
management
of property.

(a) The control and management of the real and personal property of the Association;

Promotion
of knowl-
edge, profi-
ciency and
ethics in the
profession.

(b) Instituting and furnishing means and facilities for the promotion of knowledge, proficiency and a high standard of ethics in all things relating to the practice of architecture;

Scholarships,
lectures and
exhibitions.

(c) Providing scholarships, lectures and exhibitions;

Meetings of
Association
and Council.

(d) The holding of meetings of the Association and the Council and fixing the quorum thereat;

Election and
appointment
of officers.

(e) The election of a President, Vice-President and Treasurer of the Association and the appointment of a Secretary and such other officers of the Association as Council may desire and for prescribing their duties, and subject to the provisions hereinafter contained for fixing the remuneration to be paid to them;

(f)

- (f) The election of associates, student-associates, and honorary members; Election of associates, student-associates and honorary members.
- (g) Appointing representatives to other architectural associations or bodies and maintaining connection with the Royal Architectural Institute of Canada; Appointment of representatives.
- (h) Generally for carrying out the objects of the Association in all matters other than those referred to in section 14 hereof, all of which are reserved for regulation by the Board. Generally.

16. The Council shall provide from the funds of the Association all moneys required by the Board to enable it to function in accordance with the powers vested in it, and any funds of the Association may be applied in carrying out this Act and the regulations or by-laws made under it and in furthering the objects of the Association and paying the costs and expenses incurred for or incident to the enactment of this legislation. Application of funds of the Association.

17. It shall be the duty of each member of Council to bring before it all complaints of misconduct or incompetence on the part of any member of the Association which may be brought to his attention and it shall be the duty of the Council to bring before the Board all such cases which in its opinion should be dealt with by the Board, but nothing herein contained shall prevent anyone from himself bringing before the Board any complaints of misconduct or incompetence on the part of any member of the Association. Duty of Council and members in respect of complaints.

FEES OF MEMBERS OF THE COUNCIL AND THE BOARD

18. There shall be paid to the members of the Council and the Board such fees for attendance and such reasonable travelling expenses as may be fixed, in the case of the Board by its regulations, and in the case of the Council, by by-law, such fees exclusive of travelling expenses, not to exceed \$15 per meeting for the Chairman of the Board and \$15 per meeting for the President of the Association, and \$10 per meeting for any other member of the Board or the Council; provided, however, that where the Secretary of the Board or the Council is also a member of the Board or the Council, he may be paid such salary as the body appointing him may decide upon, in addition to or by way of substitution for his fee as a member of such body. Fees of Chairman and President not to exceed \$15 per meeting and of members \$10 per meeting. Salary of secretary.

CHAPTERS OF THE ASSOCIATION

19. Subject to the approval of the Council, members may form themselves into groups for promoting the objects of the Association, Chapters of the Association.

Association,

Association, and such groups shall be known as Chapters and, subject to the approval of Council, each Chapter shall have power to make by-laws for the admission of members and associates thereof, for the election of officers, the holding of meetings and for otherwise conducting its affairs.

PENALTIES

Prohibition
against
use of word
"architect,"
etc.

20.—(1) Every person who, not being a member of the Association, or who, having been a member, has had his membership cancelled or is under suspension, or who not being licensed under section 9, applies to himself the term "architect" alone or in combination with any other term, or who holds himself out as an architect, shall be guilty of an offence, and shall incur a penalty not exceeding \$100 for a first offence, and upon conviction of a subsequent offence, a penalty of not less than \$300 and not more than \$500 or imprisonment for a period not exceeding three months, or both.

Landscape
architects.

(2) Nothing herein contained shall prevent anyone using the term "Landscape Architect."

Students,
honorary
members,
etc.

(3) Associates, student-associates and honorary members shall not be deemed to be members of the Association within the meaning of this section unless and until admitted to membership pursuant to sections 7, 8 or 9 thereof; provided, however, that an honorary member or an associate who has at some time been a member of the Association may continue to apply to himself the term "architect," but may not practise architecture.

COMPLAINTS AGAINST MEMBERS

Board has
power of
commission
under Rev.
Stat. c. 20.

21. In the investigation of any complaint against a member of the Association, the Board shall have all the power which may be conferred on a commission appointed under *The Public Inquiries Act*.

No action to
lie against
Board or
Council.

22.—(1) No action shall be brought against the Board or the Council or any member or officer thereof for anything done under this Act or under any by-law or regulation passed in accordance therewith, but anyone whose membership has been suspended or cancelled may within thirty days after the date of the order of suspension or cancellation appeal to a judge of the Supreme Court from such order and such appeal shall be upon not less than seven clear days' notice to the Board and shall be returnable within sixty days of the date of the Order appealed from or within such further time as a judge of the Supreme Court upon an *ex parte* application

Right of
appeal.

made before him may allow, and the practice and procedure in such an appeal shall be the same as upon an appeal from the report of a Master or Referee of the Supreme Court.

(2) Pending an appeal, the person whose membership is suspended or cancelled, may continue to practise but unless the order of suspension or cancellation be set aside, he shall not practise after the appeal has been disposed of, except that in the case of suspension, he may practise upon and after the expiry of the period of suspension.

Practise pending appeal.

PENALTY FOR FALSE CERTIFICATE

23. Any architect who wilfully makes any false certificate in respect to any work done or in respect to the cost, value or condition of any work or building shall be guilty of an offence and in addition to being liable in damages for any injury or loss thereby suffered, shall incur a penalty not exceeding \$100.

Wilfully false certificates as to value or condition of work an offence.

WITNESS FEES TO ARCHITECTS

24. Every architect summoned to attend any civil or criminal court for the purpose of giving evidence in his professional capacity, for each day he so attends, shall be entitled to \$5 in addition to his travelling expenses, to be taxed and paid in the manner by law provided with regard to the payment of witnesses attending such court.

Witness fees.

RECOVERY OF PENALTIES AND FEES

25. The penalties imposed by or under the authority of this Act shall be recoverable and enforceable under *The Summary Convictions Act*.

Penalties recoverable and enforceable under Rev. Stat., c. 121.

26. All fees fixed by the Regulations of the Board shall be deemed to be a debt due to the Association and shall be recoverable with the costs of the suit in the name of the Association in the Division Court of the division in which the member liable resides or practises as an architect.

Recovery of fees.

27. *The Architects Act, 1931*, is hereby repealed.

1931, c. 43 repealed.

28. This Act shall come into force on the 1st day of July, 1935, other than the provisions thereof relating to the first election of members of the Council and the elective members of the Board, which provisions shall come into force on the 1st day of June, 1935, in so far as is necessary to authorize and govern the conduct of such election.

Date of coming into force of Act.

SCHEDULE "A"
ELECTORAL DISTRICTS

"Windsor"

Counties of Essex, Kent and Lambton.

"Hamilton"

Counties of Wentworth, Lincoln, Welland, Simcoe, Brant, Waterloo, Wellington, Grey, Haldimand and Norfolk.

"Toronto"

Counties of York, Ontario, Peel, Halton, Durham, Northumberland, Hastings, Lennox and Addington, Dufferin, Peterborough, Haliburton, Victoria, Prince Edward, and the districts of Haliburton, Parry Sound, Muskoka, Algoma, Manitoulin, Kenora, Rainy River and Thunder Bay, and all places outside of Ontario.

"London"

Counties of Middlesex, Huron, Bruce, Oxford, Elgin and Perth.

"Ottawa"

Counties of Frontenac, Carleton, Renfrew, Lanark, Grenville, Dundas, Stormont, Glengarry, Prescott and Russell, and Leeds, and the Districts of Nipissing, Sudbury, Temiskaming and Cochrane.

CHAPTER 91.

An Act respecting the City of Ottawa.

Assented to April 18th, 1935.

WHEREAS the corporation of the city of Ottawa has Preamble.
by its petition prayed for special legislation in respect
to the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. This Act may be cited as *The City of Ottawa Act, 1935.* Short title.

2.—(1) The corporation of the city of Ottawa may provide Authority to issue debentures for Elgin Street widening.
by by-law to be passed without obtaining the assent of the
electors of the said city qualified to vote on money by-laws,
for an issue of debentures amounting to \$875,000 and payable
within ten years from their date for the purpose of discharging
the indebtedness of the corporation incurred in widening
Elgin Street between Albert Street and Laurier Avenue.

(2) The said debentures shall bear interest at such rate as Debenture interest.
the council of the said corporation shall, by by-law, determine
and the principal and interest thereof may be made payable
in any manner authorized by *The Municipal Act.* Rev. stat., c. 233.

(3) No irregularity in the form of any of the said debentures Irregularities not to invalidate.
or in the by-law authorizing the issue thereof, shall render
the same invalid, or be allowed as a defence to any action
brought against the said corporation for the recovery of the
amount thereof, or any part thereof, or the interest thereon.

3.—(1) All sales of land made or purporting to have been Confirmation of tax sales and conveyances.
made during the year 1933 by the corporation of the city of
Ottawa or by its treasurer for arrears of taxes in respect to
the land so sold, are hereby validated and confirmed, and all
conveyances of land so sold, executed by the mayor, treasurer
and clerk of the said corporation purporting to convey the
said lands to the purchaser thereof, his heirs and assigns, or
to the said corporation, shall have the effect of vesting such

land

land in the purchaser or his heirs and assigns and his heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, and of and from all charges and encumbrances thereon and dower therein, except taxes accruing after those for the non-payment of which such land was sold; provided that in the case of land registered under *The Land Titles Act*, the transfer of such land shall be completed by the proper master of titles entering on the register the transferee as owner of the land transferred and, until such entry is made, the land shall not vest in the transferee, and provided that the master of titles shall not be required to give the notice prescribed by section 66 of *The Land Titles Act* before making such entry.

Rev. stat.
c. 158.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon, in the same manner and as fully and effectually as if this Act had not been passed.

Commence-
ment of
Act.

4. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935.

CHAPTER 92.

An Act respecting the City of Owen Sound.

Assented to April 18th, 1935.

WHEREAS the corporation of the city of Owen Sound Preamble.
has by its petition prayed for a special Act to amend
The City of Owen Sound Act, 1929, to provide for the mayor
holding office for a term of two years; and whereas it is
expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. This Act may be cited as *The City of Owen Sound Act*, Short title.
1935.

2. Subsection 2 of section 2 of *The City of Owen Sound* 1929, c. 115,
Act, 1929, is repealed, and the following substituted therefor: s. 2, subs. 2,
repealed.

(2) From and after the 1st day of January, 1936, the Term of
mayor of the said city shall hold office for a term of office of
two years and until his successor is elected and mayor.
takes office.

3. This Act shall come into force on the day upon which Commence-
it receives the Royal Assent. ment of
Act.

CHAPTER 93.

An Act respecting the City of St. Thomas.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the city of St. Thomas has by petition represented that it desires to appoint members of the Public Utilities Commission of the said city of St. Thomas and to provide for taking the assessment of business as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of St. Thomas Act, 1935.*

Appoint-
ment of
members of
Utilities
Commission.

2. The council of the corporation of the city of St. Thomas may by by-law appoint four members of the Public Utilities Commission of the city of St. Thomas established under by-law number 3064 to hold office for the year 1935 only and until their successors are elected, as provided under said by-law 3064.

Business
Assessment.
Rev. Stat.,
c. 238.

3.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the said corporation may by by-law provide:

Time for
taking
assessment.

(a) For taking the assessment of business during such time of the year in which the rates of taxation thereon are to be levied, as the by-law may provide;

When
business
tax to be
payable.

(b) That taxation upon such business assessments may be made payable at a time different from that at which other taxations are payable;

Return of
roll and
appeals.

(c) The time when the roll for such business assessments shall be returned and for holding a Court of Revision for hearing appeals from such assessments after the return of the roll to the clerk.

(2) The time for appeal to the court of revision shall be ^{Time for} within ten days after the last day fixed for the return of the ^{appeals.} said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

4. This Act shall come into force on the day upon which ^{Commence-} it receives the Royal Assent. ^{ment of} ^{Act.}

CHAPTER 94.

An Act respecting the Township of Teck.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the township of Teck has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Teck Act, 1935.*

By-law
No. 715 and
debentures
confirmed.

2. By-law number 715 of the corporation of the township of Teck passed on the 17th day of September, 1934, authorizing the issue of debentures for \$65,000 to meet the cost of the extension and construction of the waterworks and sewerage systems and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 716 and
debentures
confirmed.

3. By-law number 716 of the said corporation passed on the 17th day of September, 1934, authorizing the issue of debentures for \$6,400 to meet the cost of the extension and construction of the waterworks and sewerage systems and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Authority
to pass
by-laws
for,—

4.—(1) The council of the said corporation is authorized to pass by-laws:

Salary of
Reeve.

(a) for providing for payment to the Reeve of the corporation of a yearly salary of not more than \$1,500;

Election of
High School
trustees.

(b) for the election by ballot of the members of the High School Board of the said township and providing for their mode of election and retirement.

(2) No by-law shall be passed under the provisions of clause *b* of subsection 1 or take affect unless the same has first been approved by the Minister of Education for Ontario.

Approval of
Minister of
Education
requisite.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of
Act.

CHAPTER 95.

An Act respecting the Township of Tisdale.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the township of Tisdale has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Tisdale Act, 1935.*

Confirmation of tax sales and conveyances.

2.—(1) All sales of land within the township of Tisdale made prior to the 1st day of March, 1934, and purporting to have been made by the corporation of the said township, or its treasurer, for arrears of taxes in respect of the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the reeve and treasurer of the said corporation, purporting to convey the said land so sold to the purchaser thereof, or his heirs, or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser, or his heirs, or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon, and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

By-law No. 427, agreement and debentures confirmed.

3. By-law number 427 passed by the council of the said corporation authorizing the execution of an agreement dated

the

the 2nd day of March, 1935, between the said corporation and the Government of the Province of Ontario respecting high school debentures, and the said agreement and the debentures to be issued by the said corporation under the authority of the said by-law and agreement when issued are hereby confirmed and declared to be legal, valid and binding upon the said corporation and upon the ratepayers thereof.

4. This Act, other than section 2, shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1935. <sup>Commence-
ment of Act.</sup>

CHAPTER 96.

An Act respecting the City of Toronto

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Toronto Act, 1935*.

By-laws
for un-
employment
relief works
confirmed.

2.—(1) By-law number 14184, being "A by-law to authorize the construction of certain works for the relief of unemployment in the city of Toronto," and by-law number 14205, being "A by-law to authorize the widening of the existing pavement on a portion of Carlton Street for the relief of unemployment in the city of Toronto," and by-law number 14215, being "A by-law to authorize the construction of certain works for the relief of unemployment in the City of Toronto," and by-law number 14221, being "A by-law to authorize the construction of certain works for the relief of unemployment in the city of Toronto," and by-law number 14233, being "A by-law to authorize the construction of a sea wall east of the Exhibition Aquatic Course for the relief of unemployment in the city of Toronto," passed by the council of the corporation of the city of Toronto, are and each of them is, hereby validated and confirmed and declared to be legal, valid and binding on the said corporation and on the ratepayers thereof, and the said corporation, its officers and servants are hereby empowered and authorized to do all such acts as are required to be done by them to carry out the provisions of the said by-laws.

Authority
to issue
debentures
for un-
employment
relief works.

(2) The council of the said corporation may from time to time, pass a by-law or by-laws authorizing the issue of, and may issue, debentures to defray the whole or any part of the cost to the corporation of all or any of the works authorized or purporting to be authorized by any of the by-laws mentioned in subsection 1.

(3) No by-law to provide for the issue of debentures for any of the purposes mentioned in this section shall be finally passed until the form of such by-law and the term for which the debentures are to be issued have been approved by the Ontario Municipal Board.

Approval
by Ontario
Municipal
Board to be
requisite.

(4) A by-law to provide for the issue of debentures passed or purporting to have been passed under the authority of this section with the approval of the Ontario Municipal Board and the debentures issued or to be issued thereunder shall not for their validity require the assent of the electors qualified to vote on money by-laws or the observance of any formality prescribed by *The Municipal Act*, and every such by-law passed with such approval and every debenture issued thereunder shall be legal, valid and binding upon the corporation and the ratepayers thereof, notwithstanding any invalidity or irregularity therein or affecting the same.

Validity of
by-laws and
debentures.

Rev. stat.,
c. 233.

3.—(1) All sales of land within the city of Toronto made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the city of Toronto or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Confirma-
tion of
tax sales
and
conveyances.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending
litigation
not
affected.

4.—(1) The council of the said corporation may out of current revenues of the corporation in any year grant such sum or sums of money, not exceeding in the aggregate \$100,000 in any one year, in aid of institutions, associations and persons carrying on or engaged in works which in the opinion of the council are for the general advantage of the inhabitants of the said city, but in respect to which no express authority to grant aid is conferred by statute.

Annual
grant to
institutions,
etc.

Grant to
St. Joseph's
Hospital.

(2) The council of the said corporation may from time to time pass a by-law or by-laws to authorize the issue of debentures payable within twenty years from the date of their issue to raise the sum of Seventeen thousand dollars (\$17,000) for a grant to St. Joseph's Hospital towards the cost of permanent building improvements.

Agreement
with Trans-
portation
Commission
confirmed.

5. The agreement dated the 25th day of July, 1927, made between the corporation of the city of Toronto and the Toronto Transportation Commission set out in schedule "B" to chapter 124 of the Acts passed in the nineteenth year of the reign of His Majesty King George V shall be legal, valid and binding upon the parties thereto until the 24th day of July, 1936.

1929,
c. 124,
sched. B.

Authority
for by-laws
for Parks
purposes.

6.—(1) The council of the corporation of the city of Toronto may from time to time within a period of five years after the 31st day of December, 1934, pass a by-law or by-laws authorizing the issue of, and may issue, debentures payable within thirty years after the time of their issue, for such sum or sums of money as the council may deem necessary, but not exceeding in any one year one mill on the dollar of the assessed value of all the rateable property in the municipality in the said year according to the last revised assessment roll, for the purpose of purchasing land for parks or playgrounds or for boulevards or drives in the municipality or in any adjoining local municipality, and for making permanent improvements therein or in any other public park, playground, boulevard or drive; provided that if in any year debentures are not issued to the full amount hereby authorized in that year, further debentures to such amount may be issued in any other year in addition to the amount hereby authorized to be issued in such other year.

Approval
of Municipal
Board
requisite to
by-law.

(2) No by-law to provide for the issue of debentures for any of the purposes mentioned in subsection 1 shall be passed until the same has been approved by the Ontario Municipal Board.

Assent of
electors not
requisite.

7.—(1) It shall not be necessary for the council of the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any by-law authorizing the issue of debentures as set out in subsection 2 of section 4 or in section 6 or to observe in respect thereto the formalities prescribed by *The Municipal Act* in respect to the passing of money by-laws.

Rev. Stat.,
c. 233.

Term of
debentures
and interest.

(2) Debentures issued under the provisions of any such by-law shall be payable within such period and shall bear interest at such rate as the council of the said corporation

shall

shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

(3) All debentures issued under the authority of this Act shall be legal, valid and binding upon the said corporation and the ratepayers thereof respectively notwithstanding any irregularity in the form of any of such debentures or in any by-law authorizing the issue thereof. Validity of debentures.

8.—(1) The council of the said corporation may by by-law authorize the maintenance upon the highways or upon any highway in the municipality of any gasoline pump, gasoline or fuel oil tank or fill pipe or air service now located thereon, including the replacing of any of same in the same location, upon such terms as may be agreed upon between the corporation and the owner or operator of any such gasoline pump, gasoline or fuel oil tank or fill pipe or air service, and for charging every such owner or operator such annual or other charge as the council may deem reasonable for the privilege conferred by the by-law, and for collecting and enforcing payment of such charge in the same manner as taxes upon the land of such owner or operator, and may appoint some official of the corporation to carry out all or any of the provisions of the by-law. Authority to continue existing gasoline pumps on highways.

(2) No agreement made under the provisions of subsection 1 shall divest the said corporation of its right to require and compel the removal from the highway of any gasoline pump, gasoline or fuel oil tank or fill pipe or air service, and no owner or operator of any of same shall have any right to compensation from the corporation in the event of such removal. Removal may be required.

9. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935. Commencement of Act.

CHAPTER 97.

An Act respecting the Town of Weston.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the town of Weston has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Weston Act, 1935*.

Assessment roll for 1934 confirmed.

2. The assessment roll for the said corporation, made in the year 1934, adopted by by-law No. 778 of the said corporation as the assessment roll other than for assessment of incomes on which the rate of taxation for the year 1935 shall be fixed and levied, and thereafter revised, is hereby ratified and declared to be legal, valid and binding upon the said corporation and upon the ratepayers thereof.

Confirmation of tax sales and conveyances.

3.—(1) All sales of land within the town of Weston made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the said town or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold; provided that in the case of land registered under *The Land Titles Act*, the transfer of such land shall be completed by the proper master of titles entering on the register the

Proviso,
Rev. Stat.,
c. 158.

transferee

transferee as owner of the land transferred and, until such entry is made, the land shall not vest in the transferee, and the master of titles shall not be required to give the notice prescribed by section 66 of *The Land Titles Act* before making such entry.

Rev. Stat.,
c. 158.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending
litigation
not affected.

4. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935.

Commence-
ment of Act.

CHAPTER 98.

An Act respecting the City of Windsor.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the city of Windsor has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Windsor Act, 1935*.

Tax prepay-
ment dis-
counts.

2. The council of the corporation may by by-law authorize the treasurer or collector to receive in any year payments on account of taxes for that year in advance of the day that may be fixed by by-law for the payment of any instalment of such taxes as provided in *The Assessment Act*, and notwithstanding the provisions of the said Act, allow a discount, on any taxes so paid in advance, at a rate not exceeding six per centum per annum, provided however, that, where the total percentage discount allowed on any taxes does not exceed two per centum, the rate may be in excess of six per centum per annum.

Rev. Stat.,
c. 238.Tax instal-
ment dis-
counts.

3. Notwithstanding the provisions of *The Assessment Act* the council of the corporation may pass by-laws allowing discounts on all taxes paid on the due dates and a graduated scale of discounts where the taxes are payable in instalments, but so as not in the aggregate to exceed five per centum.

By-laws
Nos. 4191
and 4193
confirmed.

4. By-laws numbers 4191 and 4193 of the corporation respecting the collection of taxes are hereby validated and confirmed.

Confirma-
tion of sales
of lands
registered
for tax
arrears.

1932, c. 95.

5.—(1) All sales of land situate within the municipality acquired by the corporation by the registration of tax arrears certificates under the provisions of *The City of Windsor Act, 1932*, and made by the corporation and its committee of supervisors prior to the 20th day of February, 1935, are confirmed and declared to be legal, valid and binding, and all

conveyances of land so sold executed under the seal of the corporation by the mayor and clerk of the same and by the chairman and secretary of the said supervisors, purporting to convey the said lands to the purchaser thereof or his heirs or assigns are also confirmed and declared to be legal, valid and binding and shall have the effect of vesting the lands so sold, and the same are hereby vested in the purchaser or his heirs or assigns and in his heirs and assigns, in fee simple or otherwise, according to the nature of the estate or interest sold, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of the registration of the tax arrears certificate, or their assigns, and of all charges, liens and encumbrances thereon of every nature and kind and dower therein, except such charges, liens and encumbrances thereon as the corporation may have reserved in connection with the sale or may otherwise possess, enjoy or be entitled to by virtue of any general or special Act.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but subject to the provisions of this Act the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

6. Every certificate, notice or other form which is in substantial conformity with the form thereof required by the provisions of sections 3, 4 or 5 of *The City of Windsor Act, 1932*, shall not be open to objection on the ground that it is not in the form required by the provisions of the said Act.

Irregularities in forms of tax arrears certificates, etc., not to invalidate same.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

CHAPTER 99.

An Act respecting the County of York.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the county of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The County of York Act, 1935*.

Tax sales and conveyances confirmed.

2.—(1) All sales of land within the county of York made prior to the 31st day of December, 1933, and purporting to have been made by the treasurer of the corporation of the county of York, for arrears of taxes in respect to land so sold, are hereby validated and confirmed, and all conveyances of land so sold and executed by the warden and treasurer of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his heirs or assigns, shall have the effect of vesting the lands so sold in the purchaser, or his heirs or assigns, and his heirs and assigns in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon, and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Powers as to county markets.

3. The corporation of the county of York shall in relation to markets have and shall be deemed to have had all the powers conferred upon local municipalities by subsection 1 of section 400 of *The Municipal Act*, but subject to the provisions of section 401 of the said Act.

4.—(1) The said corporation may pass by-laws to make provision for the administration of affairs by a committee of the council of the said corporation to be known as the Warden and Commissioners of the County of York, and to prescribe their duties and to define their jurisdiction and powers.

Power to appoint an administrative committee for county affairs.

(2) No such by-law or by-laws shall take effect until approved by the Ontario Municipal Board.

Approval of Ontario Municipal Board requisite.

5. By-law number 1742 of the said corporation passed on the 11th day of February, 1933, providing for the equalization of the assessment of the county of York is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation, and upon each of the local municipalities in and forming part of the said county.

By-law No. 1742 confirmed.

6. This Act other than section 2 shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1935.

Commencement of Act.

CHAPTER 100

An Act respecting the Township of York.

Assented to April 18th, 1935.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and conents of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of York Act, 1935*.

Rev. Stat.,
c. 238, s. 14,
applicable to
York.

2. For the purposes of sections 14 and 15 of *The Assessment Act* the township of York shall be deemed a village, and the said sections shall be applicable to the said township accordingly.

Extension of
1926, c. 55,
s. 5, subs. 2
until 1939,
(Annexa-
tions).

3. Subsection 2 of section 5 of *The Township of York Act, 1926*, as amended by section 15 of *The Township of York Act, 1929*, is further amended by striking out the figures "1936" where they appear in the said subsection and inserting in lieu thereof the figures "1939".

Amalgama-
tion of sewer
or water
areas.

4. The said corporation may by by-law amalgamate two or more or all sewer sections or areas or two or more or all water areas in the said township into one sewer area or one water area or make the whole of the said township or any portion thereof one sewer section or area or one water section or area.

Dissolution
of Fire
Areas.

5.—(1) The said corporation may by by-law dissolve the fire sections or areas of the said township and the boards of trustees thereof, and provide for the administration of a fire department for the said township and of any community halls therein by the council for the benefit of and at the expense of the corporation.

1930, c. 109,
s. 10, subs. 3
repealed.

(2) Subsection 3 of section 10 of *The Township of York Act, 1930*, is hereby repealed.

6.—(1) The said corporation may by by-law provide that each district or area of the said township in which it has been declared by by-law heretofore passed that a street railway serves the inhabitants thereof, or which has otherwise been declared or defined by statute, by-law or agreement as a transportation district or area, shall be dissolved and cease to exist as a separate transportation district or area, and thereafter the whole of the said township shall be deemed to be one transportation district or area for the purpose of such statute, by-law or agreement.

Dissolution
of separate
transporta-
tion areas.

(2) Nothing in this section shall be deemed to affect the provisions contained in section 7 of *The Weston and York Transportation Act, 1926*, or the provisions contained in any agreements made with the Toronto Transportation Commission for the operation of street railways in the township of York.

Exceptions.

1926, c. 105,
s. 7.

7.—(1) All rights and claims between the respective parts of the said township made into one sewer, water, fire or transportation area under the authority of this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by the Ontario Municipal Board within three months after the passing of a by-law to effect such amalgamation or dissolution.

Adjustment
of rights and
claims.

(2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, shall be applicable.

Jurisdiction
of Municipal
Board and
Referee.

1932, c. 27.

(3) A referee appointed under this section shall proceed to hear and report upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee shall for his services be paid such fee as the said board may direct and allow.

Referee and
his report.

(4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration.

Considera-
tion of report
by Muni-
cipal Board.

(5) The said board may by its order adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying

Adoption of
report by
Municipal
Board.

or amending the same shall be final and conclusive and not open to question or appeal, and the terms thereof shall be binding upon the said corporation and the ratepayers thereof or of any area affected thereby.

Imposition
of special
rates.

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the said rights and claims.

When
by-laws
relating
to areas
take effect.

(7) No by-law passed under the authority of sections 4, 5 or 6 shall come into force or take effect until such time as the said board may by its order direct, and no such order shall be issued until the said board has made an order under subsection 5 hereof.

Licensing
of drainmen.

8.—(1) The said corporation may pass by-laws for defining, licensing, regulating and governing drainmen.

Enforcement
of by-law.

(2) The provisions of any by-law passed under the authority of this section shall be enforceable in the same way and to the same extent as a by-law passed under the authority of *The Municipal Act*.

Rev. Stat.,
c. 233.

Exemption
from taxa-
tion of new
dwellings.

9.—(1) The said corporation may by by-law which for its validity shall not require the assent of the electors qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements for the whole or any part of the period of five years next ensuing from and after the 1st day of January, 1935, all new dwelling houses erected in the said township during the said period.

Cessation of
operation of
existing by-
law.
1933, c. 112,
s. 8.

(2) The provisions of the by-law heretofore passed by the council of the said corporation under the authority of section 8 of *The Township of York Act, 1933*, shall cease to apply to any dwelling houses erected in the said township after the date upon which new buildings become entitled to any exemption under the provisions of a by-law passed under the authority of this section.

By-law No.
11387
relating to
audits
confirmed.

10. By-law No. 11387 of the said corporation, set forth in Schedule "A", hereto, except clause *m* of section 2 thereof, passed on the 15th day of October, 1934, to appoint an auditor for the said corporation is hereby ratified and confirmed, and while the same remains in force shall be legal, valid and binding upon the said corporation and the local boards and corporations mentioned therein; and the said auditor is authorized and empowered to carry out his duties and obligations and exercise his rights thereunder.

Commence-
ment of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

A BY-LAW

No. 11,387

To appoint an Auditor for the Corporation of the Township of York.

Whereas the Council is authorized under the provisions of Section 242 of the *Municipal Act* to appoint one or more Auditors, who shall daily or otherwise examine, audit and report on the accounts of the Corporation.

And whereas it is deemed advisable to appoint an Auditor under the said Section 242 of the *Municipal Act*.

Therefore the Municipal Council of the Corporation of the Township of York enacts as follows:

1. That Ronald Cameron Bertram, B. Comm., C.A., be and he is hereby appointed Auditor for the Corporation of the Township of York.

2. That it shall be the duty of the said Auditor:

(a) To examine, check, and audit all books and vouchers and all accounts of receipts and expenditures of the Corporation, each Fire Area and Public Library Board, the Housing Commission of the Township of York, the Police Department and the Board of Police Commissioners of the Township of York.

(b) To examine, check and audit all books and vouchers and all accounts of receipts and expenditures of the York Township Public School Board, the Collegiate Institute Board of the Township of York, and the Board of Education of the Township of York (when organized), and to report to such bodies and to Council the result of such audit.

(c) To examine the books and records of the Toronto Transportation Commission and the Toronto Hydro Electric System in so far as the same may relate to or affect the operations of the Township systems; to check the apportionment of revenues and charges as affecting the Township, and to make such tests and examinations as may be necessary to establish the correctness of the amount of revenues credited to and the charges made against the Township, and of the Statements of Account which may be rendered to the Township; to report to Council from time to time as may be deemed advisable, the result of such examinations.

(d) To make such investigations and examinations and to take all necessary and proper steps to ensure that the Corporation and the said School Boards shall receive from time to time all the grants, subsidies, fines, fees and other revenues to which they are or may be entitled from any source.

(e) To examine, check and certify all progress and final certificates of contract, pay sheets of departments and all accounts and orders on the Treasurer of whatsoever description before payment of the same.

(f) To check from time to time the cash balances of the tellers in the Treasurer's Department, and to certify as to the correctness of the same.

(g) To check the bank balances of the Corporation and of the Public School Board, Collegiate Institute Board and of the Board of Education (when organized) and to verify all such bank balances monthly.

(h) To examine, check and audit all debentures and debenture coupons paid or accrued, and to check all issues of debentures.

(i)

(i) To exercise supervision over the methods of bookkeeping and accounting in the various departments, and to make recommendations from time to time as to any changes in the system of accounting and keeping of records.

(j) To take such steps as may be necessary to ensure that all the accounts of the Corporation are kept as required by law, and that all moneys received by the Corporation are kept and used for the purposes legally authorized.

(k) To give such assistance to the Treasurer as may be necessary in the preparation of a monthly statement of current assets and liabilities, and of receipts and disbursements of the Corporation for the previous month, as well as of receipts and disbursements for the current year to the end of the preceding month, which said statement shall set out the amount of the budget appropriation and the amount expended under the several headings for the period shown; and to transmit such statement to Council duly certified on or before the 10th day of each month.

(l) To give such assistance to the Treasurer as may be necessary in the preparation of the annual statement and the annual budget of the Corporation.

(m) To prepare and/or assist in the preparation of the annual estimates and budget of the Corporation and of any local boards thereof, and in the striking of the annual tax rates, as may be requested by Council.

(n) To recommend to Council from time to time the appointment of such additional members to his staff as he may deem necessary; and to recommend to Council the suspension or discharge of any member of his staff where the circumstances in his opinion require such action.

(o) To perform all such duties as may be required of auditors of a municipal corporation under the provisions of the *Municipal Act* and any other Act.

(p) To perform such further and other duties as may be from time to time imposed by by-law or resolution of Council.

3. The auditor shall not approve or certify any accounts or orders on the Treasurer which will result in any department overdrawing its appropriation unless and until such accounts have been first submitted to Council and the necessary additional funds have been appropriated by Council for payment of the same.

The Auditor shall see that each item of expenditure is charged only to the proper appropriation or subdivision of appropriation.

4. The Auditor may require from any Township Official any document or copies of documents, and such information regarding the conduct or affairs of any department as may be necessary for the proper performance of his duties under this by-law, and may require from the Treasurer or other official collecting money a daily, weekly or monthly statement of amounts collected, amounts expended, and the balances in the various banking accounts of the Corporation.

5. The Auditor shall, when he may become aware of any financial shortage in the accounts of any employee of the Corporation, or any of the said School Boards, Commissions, or bodies, forthwith report particulars of the same in writing to the Council.

6. In the event of the absence or illness of the Auditor, or in the event of his office being vacant, his duties shall be performed by the Assistant Auditor, or by any member of the staff of the Auditor authorized by him or by resolution of Council so to do.

7. The Auditor shall be paid for his services as such the sum of \$3,000.00 per annum, payable weekly.

8. The Auditor shall hold office during good behaviour, and shall be removable for cause by the Council upon a vote of two-thirds of the members thereof.

9. By-law No. 9985 and any other by-law inconsistent herewith is hereby repealed, provided however that the Auditors appointed under said By-law No. 9985 shall complete their work under said by-law for the period ending on the 31st day of October, 1934.

10. This By-law shall come into force and effect on, from and after the 31st day of October, 1934.

Enacted and passed this 15th day of October, 1934.

R. J. STUART,
Reeve.

JOHN HARVEY,
Clerk.

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First Session, Nineteenth Legislature
25 George V, 1935

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TABLE OF PUBLIC STATUTES

1927-1935

TABLE SHOWING THE EXISTING ACTS OF THE PROVINCE OF ONTARIO
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NOTE.—This table has been prepared for the convenience of the public under the instructions of the Attorney-General. Each Act, with its amendments, is shown alphabetically in the table under the heading of its short title, if it has one, otherwise under its long title. Numerous subject matter or collective titles have been inserted by way of cross-reference to facilitate the finding of the different Acts.

Abbreviations.—aff.=affecting; am.=amending; c.=chapter; rep.=repealing; R.S.O.=Revised Statutes of Ontario; s=section; sub.=substituting; sup.=superseding.

A

ABITIBI CANYON POWER DEVELOPMENT ACT. 1933, c. 1.

ABSCONDING DEBTOR'S ACT. R.S.O. 1927, c. 114.

ABSENTEE ACT. R.S.O. 1927, c. 108.

ACCIDENT. *See* Fatal Accidents Act; Workmen's Compensation Act; Blind Workmen's Compensation Act.

ACCIDENTAL FIRES ACT. R.S.O. 1927, c. 146.

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ACCOUNTANTS. *See* Chartered Accountants Act.

ACCUMULATIONS ACT. R.S.O. 1927, c. 138.

ADMINISTRATION OF ESTATES. *See* Crown Administration of Estates Act; Devolution of Estates Act; Public Trustee Act; Settled Estates Act; Succession Duty Act; Surrogate Courts Act; Trustee Act.

ADMINISTRATION OF JUSTICE EXPENSES ACT. R.S.O. 1927, c. 126; 1928, c. 21, s. 7 am.; 1929, c. 40 am.

ADOLESCENT SCHOOL ATTENDANCE ACT. R.S.O. 1927, c. 333; 1932, c. 42, ss. 24, 25 am.

ADOPTION ACT. R.S.O. 1927, c. 189; 1928, c. 29 am.; 1929, c. 23, s. 11 am.; 1931, c. 23, s. 16 am.; 1935, c. 1 am.

AGENTS. *See* Factors Act.

AGRICULTURAL ASSOCIATIONS ACT. R.S.O. 1927, c. 70; 1931, c. 19 am.

AGRICULTURAL COLLEGE ACT. R.S.O. 1927, c. 339.

AGRICULTURAL DEVELOPMENT ACT. R.S.O. 1927, c. 68; 1928, c. 21, s. 3 am.; 1935, c. 2 am.

AGRICULTURAL DEVELOPMENT FINANCE ACT. R.S.O. 1927, c. 67; 1932, c. 53, s. 6 am.; 1933, c. 59, s. 4 am.

AGRICULTURAL REPRESENTATIVES ACT. R.S.O. 1927, c. 73; 1931, c. 20 am.

AGRICULTURAL SOCIETIES ACT. R.S.O. 1927, c. 71; 1932, c. 53, s. 7 am.; 1935, c. 66, s. 2 am.

AGRICULTURE. *See* Agricultural Associations Act; Agricultural College Act; Agricultural Development Act; Agricultural Development Finance Act; Agricultural Representatives Act; Agricultural Societies Act; An Act respecting Dominion Agricultural Credit Company, Limited; Clean Grain Act; Consolidated Cheese Factories Act; Corn Borer Act; County Publicity Act; Dairy; Department of Agriculture Act; Farm Loans Act; Fruit Act; Live Stock and Products Act; Ontario Marketing Act; Protection of Cattle Act; Seed Grain Subsidy Act.

ALBERTA COAL SALES ACT. 1929, c. 70.

ALIEN'S REAL PROPERTY ACT. R.S.O. 1927, c. 136.

- AMUSEMENTS TAX ACT. R.S.O. 1927, c. 32; 1932, c. 9 am.
- AN ACT TO CONFIRM THE REVISED STATUTES OF ONTARIO, 1927. 1928, c. 2.
- AN ACT FOR GRANTING TO HIS MAJESTY CERTAIN SUMS OF MONEY FOR THE PUBLIC SERVICE. 1928, c. 1; 1929, c. 1; 1930, c. 1; 1931, c. 1; 1932, c. 1; 1933, c. 62; 1934, c. 57; 1935, c. 68.
- AN ACT FOR RAISING MONEY ON THE CREDIT OF THE CONSOLIDATED REVENUE FUND. 1928, c. 6; 1929, c. 2; 1930, c. 2; 1931, c. 2; 1932, c. 2; 1933, c. 45; 1934, c. 5; 1935, c. 50.
- AN ACT RESPECTING CERTAIN LANDS OF THE CANADIAN GENERAL ELECTRIC COMPANY LIMITED, IN THE COUNTY OF WELLAND. 1928, c. 20.
- AN ACT RESPECTING DOMINION AGRICULTURAL CREDIT COMPANY, LIMITED. 1931, c. 18
- AN ACT RESPECTING THE TORONTO GENERAL HOSPITAL. R.S.O. 1927, c. 358; 1928, c. 58 aff.; 1931, c. 140 am.
- ANATOMY ACT. R.S.O. 1927, c. 197; 1931, c. 39 am.
- ANDREW MERCER REFORMATORY ACT. R.S.O. 1927, c. 346; 1931, c. 23, s. 23 am.
- ANIMALS. *See* Branding of Live Stock Act; Dog Tax and Sheep Protection Act; Entry of Horses at Exhibitions Act; Injured Animals Act; Game and Fisheries Act; Stallion Act; Protection of Cattle Act; Vicious Dogs Act.
- APPEALS. *See* Privy Council Appeals Act.
- APPORTIONMENT ACT. R.S.O. 1927, c. 191.
- APPRENTICESHIP ACT. 1928, c. 25; 1930, c. 21, s. 20 am.; 1931, c. 36 am.; 1932, c. 44 am.
- ARBITRATION. *See* Arbitration Act; Damage by Fumes Arbitration Act; Municipal Arbitrations Act.
- ARBITRATION ACT. R.S.O. 1927, c. 97.
- ARCHITECTS ACT. R.S.O. 1927, c. 203; 1931, c. 43 rep. and sup.
- ARCHIVES ACT. R.S.O. 1927, c. 80.
- ARREST. *See* Fraudulent Debtors' Arrest Act.
- ASSEMBLY. *See* Legislative Assembly Act.
- ASSESSMENT ACT. R.S.O. 1927, c. 238; 1928, c. 39 am.; 1929, c. 63 am.; 1930, c. 46 am.; 1931, c. 51 am.; 1932, c. 31 am., c. 53, s. 26 am., s. 28 (3) am.; 1933, c. 2 am.; 1934, c. 1, am.; c. 54, s. 2 aff.; 1935, c. 3 am.; c. 66, s. 19 aff.
- ASSIGNMENT OF BOOK DEBTS ACT. R.S.O. 1927, c. 166; 1931, c. 35 rep. and sup., 1932, c. 48 am.; 1933, c. 59, s. 36 am.
- ASSIGNMENTS AND PREFERENCES ACT. R.S.O. 1927, c. 162.
- ASSURANCES OF ESTATES TAIL. *See* Estates Tail Act.
- ATHLETIC COMMISSION ACT. R.S.O. 1927, c. 261; 1928, c. 21, s. 21 am.; 1929, c. 23, s. 13 am.; 1930, c. 21, s. 16 am.; 1935, c. 4 am.
- ATHLETICS. *See* Athletic Commission Act; Community Halls Act.
- AUCTIONEERS. *See* Provincial Auctioneers' License Act.
- AUDIT ACT. R.S.O. 1927, c. 25; 1930, c. 21, s. 2 am.; 1935, c. 22, s. 3 am.
- (AUTOMOBILE) INSURANCE ACT. 1932, c. 25; 1935, c. 29, ss. 30-36 am.
- AUXILIARY CLASSES ACT. R.S.O. 1927, c. 324.

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- BARBERRY SHRUB ACT. R.S.O. 1927, c. 311; 1929, c. 81 rep. and sup.
- BARRISTERS ACT. R.S.O. 1927, c. 193; 1934, c. 54, s. 3 am.
- BATTLE OF RIDGEWAY MEMORIAL PARK ACT. 1934, c. 2.
- BEACH PROTECTION ACT. R.S.O. 1927, c. 298; 1929, c. 77 aff.; 1935, c. 66, s. 3 am.
- BEACHES AND RIVER BEDS ACT. R.S.O. 1927, c. 299; 1929, c. 77 aff.
- BED OF NAVIGABLE WATERS ACT. R.S.O. 1927, c. 42.
- BEEES ACT. R.S.O. 1927, c. 314; 1931, c. 65 am.
- BILLIARD ROOMS. *See* Minors' Protection Act.
- BILLS OF SALE AND CHATTEL MORTGAGE ACT. R.S.O. 1927, c. 164; 1932, c. 53, ss. 15, 16 am.; 1933, c. 3 am.; 1935, c. 5 am.
- BIRDS. *See* Protection of Birds Act.
- BIRTHS. *See* Vital Statistics Act.
- BLIND WORKMEN'S COMPENSATION ACT. 1931, c. 38.
- BOARDS OF EDUCATION ACT. R.S.O. 1927, c. 327; 1928, c. 53, s. 7 am.; 1929, c. 84, s. 12 am.; 1930, c. 63, s. 18 rep., s. 19 am.; 1931, c. 71, s. 14 am.; 1933, c. 58, s. 30 am.; 1934, c. 52, s. 14 am.

- BOILERS. *See* Steam Boiler Act.
- BONUS LIMITATION ACT. R.S.O. 1927, c. 234.
- BOOK DEBTS. *See* Assignment of Book Debts.
- BOUNDARIES. *See* Ontario and Manitoba Boundary Line Act.
- BOUNTY. *See* Wolf Bounty Act.
- BOYS' WELFARE HOME AND SCHOOL ACT. R.S.O. 1927, c. 282; 1928, c. 49 am.; 1931, c. 60 rep. and sup. *See* Ontario Training Schools Act.
- BRANDING OF LIVE STOCK ACT. R.S.O. 1927, c. 305.
- BREAD SALES ACT. R.S.O. 1927, c. 268.
- BUILDING TRADES PROTECTION ACT. R.S.O. 1927, c. 274.
- BULK SALES ACT. R.S.O. 1927, c. 167; 1928, c. 24 am.; 1933, c. 4 am.
- BUREAU OF MUNICIPAL AFFAIRS ACT. R.S.O. 1927, c. 232; 1932, c. 27, s. 165 rep.
- BURIAL GROUNDS. *See* Cemetery Act.
- BURIAL OF WAR VETERANS ACT. 1935, c. 6.
- BURLINGTON BEACH ACT. R.S.O. 1927, c. 83; 1930, c. 20, rep. and sub.
- BUTTER. *See* Cheese and Butter Exchanges Act; Dairy; Milk, Cheese and Butter Act.

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- CANADA FOUNDRY COMPANY SITES ACT. 1928, c. 20; 1930, c. 21, s. 21 rep.
- CATTLE. *See* Branding of Live Stock Act. Protection of Cattle Act.
- CEMETERY ACT. R.S.O. 1927, c. 317; 1931, c. 68 am.; 1932, c. 40 am.; 1933, c. 5 am.
- CEMETERIES. *See* Cemetery Act; Registry Act.
- CENTRAL ONTARIO POWER ACT. 1930, c. 13.
- CHARITABLE INSTITUTIONS ACT. 1931, c. 79. *See* Department of Public Welfare Act.
- CHARITIES ACCOUNTING ACT. R.S.O. 1927, c. 152; 1930, c. 33 am.
- CHARTERED ACCOUNTANTS ACT. R.S.O. 1927, c. 205.
- CHARTERED SHORTHAND REPORTERS ACT. R.S.O. 1927, c. 204; 1933, c. 60 am.
- CHEESE. *See* Cheese and Butter Exchanges Act; Consolidated Cheese Factories Act; Dairy Products Act; Milk, Cheese and Butter Act.
- CHEESE AND BUTTER EXCHANGES ACT. R.S.O. 1927, c. 231.
- CHILDREN. *See* Adoption Act; Apprenticeship Act; Auxiliary Classes Act; Boys' Welfare Home and School Act; Children's Maintenance Act; Children's Protection Act; Children of Unmarried Parents Act; Dependants' Relief Act; Deserted Wives' and Children's Maintenance Act; Dionne Quintuplet Guardianship Act; Infants Act; Juvenile Courts Act; Legitimation Act; Maternity Boarding House Act; Mothers' Allowances Act; Minors' Protection Act; Ontario Training Schools Act.
- CHILDREN'S MAINTENANCE ACT. 1931, c. 34.
- CHILDREN OF UNMARRIED PARENTS ACT. R.S.O. 1927, c. 188; 1928, c. 28 am.; 1929, c. 23, s. 10 am.; 1931, c. 23, s. 15 am.; 1932, c. 53, s. 18 am.; 1933, c. 59, s. 21 am.; 1935, c. 7, am.
- CHILDREN'S PROTECTION ACT. R.S.O. 1927, c. 279; 1928, c. 46 am.; 1929, c. 23, s. 15 am.; 1930, c. 54 am.; 1931, c. 59 am.; 1932, c. 37, ss. 2-7 am., s. 8 aff.; 1933, c. 59, s. 26 am.; 1934, c. 3 am.
- CIRCUS. *See* Travelling Shows Act.
- CIVIL SERVICE. *See* Public Service.
- CLEAN GRAIN ACT. 1935, c. 8.
- COLLECTION AGENCIES ACT. 1932, c. 51; 1933, c. 6, rep. and sub.
- COLLEGE OF ART ACT. R.S.O. 1927, c. 342; 1932, c. 42, s. 26 am.
- COLONIZATION ROADS ACT. R.S.O. 1927, c. 37; 1928, c. 13 am.; 1931, c. 12 am.
- COMMISSIONERS FOR TAKING AFFIDAVITS ACT. R.S.O. 1927, c. 109; 1933, c. 59, s. 13 am.; 1935, c. 9 am.
- COMMUNITY HALLS ACT. R.S.O. 1927, c. 247; 1932, c. 53, s. 27 am.; 1934, c. 4 am.; c. 54, s. 5 aff.
- COMPANIES. *See* Companies Act; Companies Information Act; Corporation Securities Registration Act; Extra-Provincial Corporations Act; Minority Shareholders Rights Act; Real Estate Brokers Act; Securities Act.
- COMPANIES ACT. R.S.O. 1927, c. 218; 1928, c. 32 am.; 1929, c. 49 am.; 1930, c. 37 am.; 1931, c. 46 am.; 1932, c. 53, ss. 21, 22 am., s. 23 aff.; 1933, c. 7 am.; 1934, c. 54, s. 6 am.; 1935, c. 66, s. 5 am.

- COMPANIES INFORMATION ACT. 1928, c. 33; 1929, c. 50 am; 1930, c. 38 am.; 1931, c. 47 am.; 1932, c. 53, s. 35 am.; 1933, c. 59, s. 31 am.; 1934, c. 54, s. 7 am.; 1935, c. 66, s. 6 am.
- COMPENSATION. *See* Blind Workmen's Compensation Act; Industrial and Mining Lands Compensation Act; Workmen's Compensation Act; Workmen's Compensation Insurance Act.
- CONDITIONAL SALES ACT. R.S.O. 1927, c. 165; 1929, c. 23, s. 8 am.; 1931, c. 23, s. 12 am.; 1932, c. 18 am.; 1933, c. 8 am.
- CONSOLIDATED CHEESE FACTORIES ACT. R.S.O. 1927, c. 77.
- CONSOLIDATED REVENUE FUND ACT. R.S.O. 1927, c. 22.
- CONSTABLES ACT. R.S.O. 1927, c. 125; 1929, c. 39 am.; 1934, c. 54, s. 8 am.
- CONSTITUTIONAL QUESTIONS ACT. R.S.O. 1927, c. 117.
- CONTINUATION SCHOOLS ACT. R.S.O. 1927, c. 325; 1928, c. 53, s. 3 am.; 1929, c. 84, ss. 5, 6 am.; 1930, c. 63, ss. 12, 13 am.; 1931, c. 71, s. 8 am.; 1932, c. 42, ss. 15, 16 am.; 1933, c. 58, ss. 19-22 am.
- CONTRIBUTORY NEGLIGENCE ACT. R.S.O. 1927, c. 103; 1930, c. 27, s. 9 rep. and sup.
- CONTROVERTED ELECTIONS ACT. R.S.O. 1927, c. 11; 1928, c. 4 am.; 1935, c. 10 am.
- CONVEYANCING. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Land Transfers Tax Act; Registry Act; Short Forms of Conveyances Act.
- CONVEYANCING AND LAW OF PROPERTY ACT. R.S.O. 1927, c. 137; 1933, c. 9 am.; 1934, c. 6 am.
- CO-OPERATIVE CREDIT SOCIETIES ACT. 1922, c. 64.
- CO-OPERATIVE MARKETING LOAN ACT. R.S.O. 1927, c. 75; 1932, c. 16 rep. and sup.; 1934, c. 7 am.; 1935, c. 11 am.
- CORN BORER ACT. R.S.O. 1927, c. 312; 1929, c. 23, s. 17 am.
- CORONERS ACT. R.S.O. 1927, c. 123; 1931, c. 31 am.; 1932, c. 53, ss. 12, 13 am.
- CORPORATION SECURITIES REGISTRATION ACT. 1932, c. 50.
- CORPORATIONS TAX ACT. R.S.O. 1927, c. 29; 1928, c. 21, s. 1 am.; 1930, c. 6 am.; 1931, c. 8 am.; 1932, c. 8 am.; 1933, c. 10 am.; 1935, c. 12 am.; c. 39, Sched. am.
- COSTS OF DISTRESS ACT. R.S.O. 1927, c. 110; 1929, c. 34 am.; 1931, c. 28, s. 2 rep., ss. 3, 4 am.
- COUNTIES REFORESTATION ACT. R.S.O. 1927, c. 289.
- COUNTY COURT JUDGES' CRIMINAL COURTS ACT. R.S.O. 1927, c. 93; 1934, c. 54, s. 9 am.
- COUNTY COURTS ACT. R.S.O. 1927, c. 91; 1928, c. 21, s. 5 am.; 1935, c. 13 am.
- COUNTY JUDGES ACT. R.S.O. 1927, c. 90; 1928, c. 21, s. 18 am.; 1929, c. 23, s. 3 am.; 1930, c. 25, s. 2 am., s. 3 rep.; 1931, c. 27 am.; 1933, c. 59, s. 7 am.; 1935, c. 14 am.
- COUNTY PUBLICITY ACT. R.S.O. 1927, c. 74; 1930, c. 21, s. 5 am.
- COURTS. *See* Administration of Justice Expenses Act; County Court Judges' Criminal Courts Act; County Courts Act; County Judges Act; Division Courts Act; Dominion Courts Act; Extra-Judicial Services Act; General Sessions Act; Judicature Act; Jurors' Act; Justices of the Peace Act; Magistrates Act; Mining Act; Privy Council Appeals Act; Surrogate Courts Act.
- CREAM. *See* Dairy Products Act; Milk and Cream Act.
- CREDITORS RELIEF ACT. R.S.O. 1927, c. 113.
- CROWN ADMINISTRATION OF ESTATES ACT. R.S.O. 1927, c. 104; 1930, c. 28 am.
- CROWN ATTORNEYS ACT. R.S.O. 1927, c. 122; 1929, c. 38 am.; 1933, c. 59, s. 15 am.
- CROWN TIMBER ACT. R.S.O. 1927, c. 38; 1928, c. 14 am.; 1929, c. 23, s. 2 am.; 1934, c. 8 am.
- CROWN WITNESSES ACT. R.S.O. 1927, c. 127; 1935, c. 15 am..
- CULLERS ACT. R.S.O. 1927, c. 209.
- CUSTODY OF DOCUMENTS ACT. R.S.O. 1927, c. 157.

D

- DAIRY. *See* Consolidated Cheese Factories Act; Cheese and Butter Exchanges Act; Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act.
- DAIRY PRODUCTS ACT. R.S.O. 1927, c. 267; 1930, c. 53 rep. and sup.
- DAMAGE BY FUMES ARBITRATION ACT. R.S.O. 1927, c. 49.

- DEATHS. *See* Vital Statistics Act.
- DEBT COLLECTORS ACT. R.S.O. 1927, c. 272.
- DEFINITION OF TIME ACT. R.S.O. 1927, c. 160.
- DENTISTRY ACT. R.S.O. 1927, c. 198; 1931, c. 40 am.; 1934, c. 9 am.
- DEPARTMENT OF AGRICULTURE ACT. R.S.O. 1927, c. 66.
- DEPARTMENT OF EDUCATION ACT. R.S.O. 1927, c. 322; 1930, c. 63, ss. 1, 2 am.; 1932, c. 53, s. 32 am.; 1933, c. 58, ss. 2, 3 am.; 1934, c. 52, s. 2 am.; 1935, c. 64, s. 2 am.
- DEPARTMENT OF LABOUR ACT. R.S.O. 1927, c. 62; 1931, c. 15 am.; 1932, c. 15 am.
- DEPARTMENT OF MUNICIPAL AFFAIRS ACT. 1935, c. 16.
- DEPARTMENT OF PUBLIC WELFARE ACT. 1931, c. 5.
- DEPENDANTS' RELIEF ACT. 1929, c. 47; 1930, c. 35 am.; 1935, c. 17 am.
- DESERTED WIVES' AND CHILDREN'S MAINTENANCE ACT. R.S.O. 1927, c. 184; 1933, c. 11 am.; 1934, c. 10 am.; 1935, c. 18 am.
- DEVOLUTION OF ESTATES ACT. R.S.O. 1927, c. 148; 1929, c. 42 am.; 1930, c. 21, s. 11 am.; 1931, c. 32 am.; 1933, c. 59, s. 16 am.
- DIONNE QUINTUPLET GUARDIANSHIP ACT. 1935, c. 19.
- DISTRICT COURT HOUSES ACT. R.S.O. 1927, c. 352.
- DISTRICT HOUSES OF REFUGE ACT. R.S.O. 1927, c. 349; 1931, c. 75 am.; 1933, c. 59, s. 29 am.
- DITCHES AND WATERCOURSES ACT. R.S.O. 1927, c. 316; 1931, c. 67 am.; 1934, c. 11 am.
- DIVISION COURTS ACT. R.S.O. 1927, c. 95; 1929, c. 30 am.; 1934, c. 12 am.; 1935, c. 20 am.
- DIVORCE. *See* Matrimonial Causes Act; Vital Statistics Act; Marriage Act, 1933.
- DOGS. *See* Dog Tax and Sheep Protection Act; Vicious Dogs Act.
- DOG TAX AND SHEEP PROTECTION ACT. R.S.O. 1927, c. 300; 1929, c. 78 am.; 1934, c. 13 am.; 1935, c. 66, s. 7 am.
- DOMINION AGRICULTURAL CREDIT COMPANY, LIMITED. 1931, c. 18.
- DOMINION COMMISSIONERS OF POLICE ACT. R.S.O. 1927, c. 124.
- DOMINION COURTS ACT. R.S.O. 1927, c. 87.
- DON VALLEY IMPROVEMENT ACT. 1933, c. 12.
- DOWER ACT. R.S.O. 1927, c. 100; 1928, c. 21, s. 6 am.
- DRAINAGE. *See* Ditches and Watercourses Act; Interprovincial Drainage Act; Municipal Drainage Act; Municipal Drainage Aid Act; Provincial Aid to Drainage Act; Tile Drainage Act.
- DRUGLESS PRACTITIONERS ACT. R.S.O. 1927, c. 200; 1928, c. 45, s. 2 aff.; 1932, c. 53, s. 20 am.

E

- EDUCATION. *See* Adolescent School Attendance Act; Agricultural College Act; Auxiliary Classes Act; Boards of Education Act; Boys' Welfare Home and School Act; College of Art Act; Continuation Schools Act; Department of Education Act; High Schools Act; Industrial Schools Act; Mining Schools Act; Ontario Training Schools Act; Public Schools Act; School Attendance Act; Schools for the Deaf and Blind Act; Separate Schools Act; University Act; Upper Canada College Act; Veterinary Science Practice Act; Vocational Education Act; School Law Amendment Act.
- EGRESS FROM PUBLIC BUILDINGS ACT. R.S.O. 1927, c. 284.
- ELECTION ACT. R.S.O. 1927, c. 8; 1928, c. 3 am.; 1929, c. 5 am.; 1930, c. 3 am.; 1932, c. 53, s. 2 am.; 1933, c. 13 am.; 1934, c. 14 am.; 1935, c. 21 am.
- ELECTIONS. *See* Municipal Act; Controverted Elections Act; Election Act; Political Contributions Act; Personation Act; Voters' Lists Act.
- ELECTRIC RAILWAYS. *See* Municipal Electric Railway Act; Railway Act; Hydro Electric Railway Act.
- EMBALMERS AND FUNERAL DIRECTORS ACT. 1928, c. 31; 1932, c. 45 am.; 1934, c. 54, s. 10 am.
- EMBALMERS AND UNDERTAKERS' ACT. R.S.O. 1927, c. 211; 1928, c. 31 rep. and sup.
- EMPLOYMENT AGENCIES ACT. R.S.O. 1927, c. 216.
- ENGINEERS. *See* Operating Engineers Act; Professional Engineers Act.
- ENTRY OF HORSES AT EXHIBITIONS ACT. R.S.O. 1927, c. 271.
- ESCHEATS ACT. R.S.O. 1927, c. 133.

- ESTATES TAIL ACT. R.S.O. 1927, c. 141.
 ESTREATS ACT. R.S.O. 1927, c. 128; 1928, c. 22 am.
 EVIDENCE ACT. R.S.O. 1927, c. 107; 1929, c. 33 am.; 1930, c. 29 am.; 1932, c. 53, s. 11 am.; 1935, c. 66, s. 9 am.
 EXECUTION ACT. R.S.O. 1927, c. 112; 1929, c. 35 am.; 1933, c. 14 am.
 EXECUTIVE COUNCIL ACT. R.S.O. 1927, c. 14; 1930, c. 5 am.
 EXTRA JUDICIAL SERVICES ACT. R.S.O. 1927, c. 89.
 EXTRAMURAL EMPLOYMENT OF PERSONS UNDER SENTENCE ACT. R.S.O. 1927, c. 363.
 EXTRA PROVINCIAL CORPORATIONS ACT. R.S.O. 1927, c. 219; 1928, c. 21, s. 19 am.; 1929, c. 52 am.; 1932, c. 53, s. 24 am.; 1933, c. 59, s. 22 am.

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- FACTORS ACT. R.S.O. 1927, c. 168.
 FACTORY, SHOP AND OFFICE BUILDING ACT. R.S.O. 1927, c. 275; 1929, c. 72, ss. 2, 3, 9, 13 aff., ss. 4-8 and 10-12 am.; 1932, c. 35 rep. and sup.; 1933, c. 15 am.; 1934, c. 15 am.
 FARM LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Farm Loans Act.
 FARM LOANS ACT. R.S.O. 1927, c. 69.
 FATAL ACCIDENTS ACT. R.S.O. 1927, c. 183.
 FEDERAL DISTRICT COMMISSION ACT. 1934, c. 16.
 FEMALE PATIENTS AND PRISONERS PROTECTION ACT. R.S.O. 1927, c. 283.
 FEMALE REFUGES ACT. R.S.O. 1927, c. 347; 1932, c. 53, s. 33 am.
 FENCES. *See* Line Fences Act; Snow Roads and Fences Act.
 FERRIES ACT. R.S.O. 1927, c. 159.
 FINES AND FORFEITURES ACT. R.S.O. 1927, c. 129.
 FIRE. *See* Accidental Fires Act; Fire Accidents Act; Fire Departments Act; Fire Guardians Act; Fire Marshals Act; Fires Extinguishment Act; Forest Fires Prevention Act; Prevention of Accidents by Fire in Hotels Act; Railway Fire Charge Act.
 FIRE ACCIDENTS ACT. R.S.O. 1927, c. 296.
 FIRE DEPARTMENTS ACT. R.S.O. 1927, c. 245.
 FIRE GUARDIANS ACT. R.S.O. 1927, c. 293.
 FIRE MARSHALS ACT. R.S.O. 1927, c. 295; 1929, c. 76 am.; 1930, c. 61 am.; 1931, c. 62 am.; 1933, c. 16 am.
 FIREMEN. *See* Fire Departments Act; Firemen's Exemption Act.
 FIREMEN'S EXEMPTION ACT. R.S.O. 1927, c. 244.
 FIRES EXTINGUISHMENT ACT. R.S.O. 1927, c. 294.
 FISCAL YEAR ACT. 1935, c. 22.
 FOREST. *See* Forest Fires Prevention Act; Forestry Act; Private Forest Reserves Act; Provincial Forests Act.
 FOREST FIRES PREVENTION ACT. R.S.O. 1927, c. 291; 1930, c. 60 rep. and sup.; 1933, c. 17 am.; 1934, c. 17 am.
 FOREST RESERVES ACT. R.S.O. 1927, c. 40; 1929, c. 14, s. 12 rep.
 FORESTRY ACT. R.S.O. 1927, c. 41.
 FOWL. *See* Transportation of Fowl Act.
 FRAUD. *See* Alberta Coal Sales Act; Fraudulent Conveyances Act; Fraudulent Debtors' Arrest Act; Fruit Sales Act; Real Estate Brokers Act; Securities Act; Statute of Frauds.
 FRAUDULENT CONVEYANCES ACT. R.S.O. 1927, c. 134.
 FRAUDULENT DEBTORS' ARREST ACT. R.S.O. 1927, c. 115.
 FRUIT ACT. 1933, c. 18; 1934, c. 18 am.
 FRUIT PACKING ACT. R.S.O. 1927, c. 76; 1932, c. 53, ss. 8, 9 am.
 FRUIT PESTS ACT. R.S.O. 1927, c. 310.
 FRUIT SALES ACT. R.S.O. 1927, c. 269.
 FRUIT AND VEGETABLES CONSIGNMENT ACT. R.S.O. 1927, c. 270.
 FUEL OIL TAX ACT. 1932, c. 12.
 FUEL SUPPLY ACT. R.S.O. 1927, c. 51.
 FUR-BEARING ANIMALS KEPT IN CAPTIVITY ACT. R.S.O. 1927, c. 321.

G

- GAME AND FISHERIES ACT. R.S.O. 1927, c. 318; 1928, c. 52 am.; 1929, c. 82 am.; 1930, c. 62 am.; 1931, c. 69 am.; 1932, c. 41 am.; 1933, c. 19 am.; 1934, c. 19 am.; 1935, c. 23 am.
- GAMING ACT. R.S.O. 1927, c. 260.
- GAOLS ACT. R.S.O. 1927, c. 351; 1931, c. 23, s. 25 am.
- GAS. *See* Natural Gas Conservation Act; Well Drillers Act.
- GASOLINE HANDLING ACT. 1934, c. 20.
- GASOLINE TAX ACT. R.S.O. 1927, c. 55; 1929, c. 18 am.; 1931, c. 23, s. 6 am.; 1932, c. 11 am.
- GENERAL PURCHASING AGENT'S ACT. R.S.O. 1927, c. 34.
- GENERAL SESSIONS ACT. R.S.O. 1927, c. 92; 1933, c. 59, s. 8 am.; 1935, c. 24 am.
- GINSENG ACT. R.S.O. 1927, c. 313.
- GOVERNMENT STOCK. *See* Provincial Loans Act.
- GRAIN. *See* Clean Grain.
- GRAND RIVER CONSERVATION COMMISSION ACT. 1932, c. 55.
- GUARANTEE COMPANIES SECURITIES ACT. R.S.O. 1927, c. 230.
- GUARDIANSHIP. *See* Infants Act.
- GUELPH RAILWAY ACT. 1921, c. 22; 1923, c. 40 am.; 1931, c. 14 am.

H

- HABEAS CORPUS ACT. R.S.O. 1927, c. 116.
- HALIBURTON ACT. R.S.O. 1927, c. 4; 1931, c. 4, s. 4 aff.; 1931, c. 71, s. 16 am.
- HAMILTON STREET RAILWAY COMPANY ACT. 1932, c. 57.
- HEALTH. *See* One Day's Rest in Seven Act; Public Health Act; Silicosis Act; Vaccination Act; Venereal Diseases Prevention Act.
- HIGH SCHOOLS ACT. R.S.O. 1927, c. 326; 1928, c. 53, ss. 4-6 am.; 1929, c. 84, ss. 7-11 am.; 1930, c. 63, ss. 14-17 am.; 1931, c. 71, ss. 9-13 am.; 1932, c. 42, ss. 17, 18 am.; 1933, c. 58, ss. 23-29 am.; 1934, c. 52, ss. 10-13 am.; 1935, c. 64, s. 4 am.
- HIGHWAY. *See* Colonization Roads Act; Highway Improvement Act; Highway Improvement Fund Act; Highway Traffic Act; Public Service Works on Highways Act; Public Commercial Vehicle Act; Public Vehicle Act; Snow Roads and Fences Act; Statute Labour Act; Tree Planting Act.
- HIGHWAY IMPROVEMENT ACT. R.S.O. 1927, c. 54; 1928, c. 18 am.; 1929, c. 17 am.; 1930, c. 10 am.; 1931, c. 11, ss. 1-12 am., s. 13 rep.; 1932, c. 53, s. 5 am.; 1935, c. 25 am.
- HIGHWAY IMPROVEMENT FUND ACT. 1930, c. 11.
- HIGHWAY TRAFFIC ACT. R.S.O. 1927, c. 251; 1928, c. 42 am.; 1929, c. 68 am.; 1930, cc. 47, 48 am.; 1931, c. 54 am.; 1932, c. 32 am.; 1933, c. 20 am.; 1934, c. 21 am.; 1935, c. 26 am.
- HORSES. *See* Entry of Horses at Exhibitions Act; Stallion Act.
- HORTICULTURAL SOCIETIES ACT. R.S.O. 1927, c. 72.
- HOSPITALS. *See* Charitable Institutions Act; Hospitals and Charitable Institutions Act; Hospitals for the Insane Act; Mental Hospitals Act; Ontario Hospital, Woodstock, Act; Private Hospitals Act; Private Sanitarium Act; Psychiatric Hospitals Act; Public Hospitals Act; Sanatoria for Consumptives Act; Toronto General Hospital Act.
- HOSPITALS AND CHARITABLE INSTITUTIONS ACT. R.S.O. 1927, c. 359; 1928, c. 59 am.; 1930, c. 21, s. 18 am.; 1931, c. 78 rep. and sup.
- HOSPITALS FOR THE INSANE ACT. R.S.O. 1927, c. 353; 1930, c. 66 am.; 1931, c. 23, s. 26 am.; 1935, c. 39, s. 108 rep.
- HOTELS ACT. 1929, c. 75.
- HOURS OF LABOUR. *See* Factory, Shop and Office Building Act; Fire Departments Act; Mining Act; Municipal Act; One Day's Rest in Seven Act; Railway Act.
- HOUSES OF REFUGE ACT. R.S.O. 1927, c. 348; 1931, c. 74 am.; 1934, c. 54, s. 12 am.

HYDRO-ELECTRIC. *See* Abitibi Canyon Power Development Act; Hydro-Electric Negligence Act; Hydro-Electric Railway Act; Manitoulin Rural Power District Act; Municipal Electric Railway Act; Power Commission Act; Power Commission Insurance Act; Rural Hydro-Electric Distribution Act; Water Powers' Regulation Act.

HYDRO-ELECTRIC NEGLIGENCE ACT. R.S.O. 1927, c. 61.

HYDRO-ELECTRIC RAILWAY ACT. 1929, c. 55.

I

INDIAN LANDS ACT. 1924, c. 15.

INDUSTRIAL EDUCATION. *See* Vocational Education Act.

INDUSTRIAL FARMS ACT. R.S.O. 1927, c. 350; 1931, c. 23, s. 24 am.; 1932, c. 43, rep. and sup.

INDUSTRIAL AND MINING LANDS COMPENSATION ACT. R.S.O. 1927, c. 147.

INDUSTRIAL DISPUTES INVESTIGATION ACT. 1932, c. 20.

INDUSTRIAL SCHOOLS ACT. R.S.O. 1927, c. 329; 1931, c. 73 am.; 1933, c. 59, s. 27 am.; 1935, c. 27 am.

INDUSTRIAL SITES ACT. 1929, c. 59.

INDUSTRIAL STANDARDS ACT. 1935, c. 28.

INFANTS. *See* Children.

INFANTS ACT. R.S.O. 1927, c. 186; 1929, c. 48 am.

INJURED ANIMALS ACT. R.S.O. 1927, c. 302.

INKEEPERS' ACT. R.S.O. 1927, c. 210; 1929, c. 75, s. 3 rep.; 1933, c. 21 am.

INSANE. *See* Hospitals for the Insane Act; Psychiatric Hospitals Act.

INSOLVENCY. *See* Assignment and Preferences Act.

INSURANCE. *See* (Automobile) Insurance Act; An Act respecting Dominion Agricultural Credit Company, Limited; Highway Traffic Act; Insurance Act; Insurance (Temporary Provisions) Act; Workmen's Compensation Insurance Act; Power Commission Insurance Act.

INSURANCE ACT. R.S.O. 1927, c. 222; 1928, c. 35 am.; 1929, c. 53 am.; 1930, c. 41 am.; 1931, c. 18 aff.; c. 23, s. 17 aff.; c. 49 am.; 1932, c. 24, ss. 2-10 am., s. 11 aff.; 1932, c. 25 am.; 1932, c. 26 aff.; 1933, c. 22 am.; 1934, c. 22 am.; 1935, cc. 29 and 30 am.

INSURANCE (TEMPORARY PROVISIONS) ACT. 1932, c. 26; 1933, c. 23 aff.; 1934, c. 23 aff.

INTERPRETATION ACT. R.S.O. 1927, c. 1; 1934, c. 24 am.; 1935, c. 31 am.

INTERPROVINCIAL DRAINAGE ACT. 1932, c. 52.

INTESTATE SUCCESSION. *See* Devolution of Estates Act.

INVESTIGATION OF TITLES ACT. 1929, c. 41; 1930, c. 30 am.

IRON ORE BOUNTY ACT. 1924, c. 19; 1930, c. 9 rep. and sup.

J

JUDGES' ORDERS ENFORCEMENT ACT. R.S.O. 1927, c. 111.

JUDICATURE ACT. R.S.O. 1927, c. 88; 1928, c. 21, s. 4 am.; 1930, c. 21, s. 6 aff., s. 7 rep.; c. 22 am.; c. 23 am.; 1931, c. 24 am.; 1932, c. 53, s. 10 am.; 1933, c. 59, s. 6 am.; 1934, c. 54, s. 13 am.; 1935, c. 32 am.

JURORS' ACT. R.S.O. 1927, c. 96; 1929, c. 31 am.; 1933, c. 59, s. 11 am.; 1935, c. 33 am.

JUSTICES OF THE PEACE ACT. R.S.O. 1927, c. 118; 1931, c. 29 am.; 1935, c. 34 am.

JUVENILE COURTS ACT. R.S.O. 1927, c. 281; 1928, c. 48 am.; 1929, c. 74 am.; 1930, c. 57 am.; 1931, c. 23, s. 21 am.; 1934, c. 25 am.

JUVENILE AND FAMILY COURTS ACT, 1934, c. 25.

K

KAPUSKASING, TOWN OF. 1921, c. 36; 1930, c. 21, s. 19 am.; 1932, c. 53, s. 34 aff.; 1933, c. 24 am.

KING'S PRINTER ACT. R.S.O. 1927, c. 79.

L

- LABOUR. *See* Blind Workmen's Compensation Act; Department of Labour Act; Employment Agencies Act; Minimum Wage Act; One Day's Rest in Seven Act; Unemployment Relief Act; Workmen's Compensation Act; Woodmen's Employment Act.
- LAC SEUL CONSERVATION ACT. 1928, c. 12.
- LAKES AND RIVERS IMPROVEMENT ACT. R.S.O. 1927, c. 43; 1928, c. 11 am.
- LAND. *See* Indian Lands Act; Industrial Sites Act; Investigation of Titles Act; Land Titles Act; Land Transfer Tax Act; Northern Development Act; Provincial Land Tax Act; Public Lands Act; Registry Act; Relief Land Settlement Act; Returned Soldiers' and Sailors' Land Settlement Act; Tax Sales Confirmation Act; Veterans' Land Grant Act.
- LAND SURVEYORS ACT. R.S.O. 1927, c. 201; 1928, c. 21, s. 9 am.; 1931, c. 41 rep. and sup.
- LAND TITLES ACT. R.S.O. 1927, c. 158; 1929, c. 45 am.; 1931, c. 23, s. 11 am.; 1932, c. 53, s. 14 am.
- LAND TRANSFER TAX ACT. R.S.O. 1927, c. 31.
- LANDLORD AND TENANT ACT. R.S.O. 1927, c. 190; 1928, c. 30 am.
- LAW SOCIETY ACT. R.S.O. 1927, c. 192; 1928, c. 21, s. 8 am.; 1930, c. 21, s. 13 am.; 1932, c. 53, s. 19 am.; 1934, c. 54, s. 14 am.
- LAW STAMPS ACT. R.S.O. 1927, c. 27; 1932, c. 53, s. 3 am.
- LEASES. *See* Short Forms of Leases Act.
- LEGISLATIVE ASSEMBLY ACT. R.S.O. 1927, c. 12; 1930, c. 4 am.
- LEGISLATIVE SECRETARY FOR NORTHERN ONTARIO ACT. R.S.O. 1927, c. 15.
- LEGITIMATION ACT. R.S.O. 1927, c. 187.
- LIBEL AND SLANDER ACT. R.S.O. 1927, c. 101.
- LIBRARIES. *See* Public Libraries Act.
- LIEUTENANT-GOVERNOR'S ACT. R.S.O. 1927, c. 13.
- LIGHTNING ROD ACT. R.S.O. 1927, c. 297; 1931, c. 63 am.
- LIMITATIONS ACT. R.S.O. 1927, c. 106.
- LIMITED PARTNERSHIP ACT. R.S.O. 1927, c. 171; 1930, c. 21, s. 12 am.; 1931, c. 23, s. 13 am.
- LINE FENCES ACT. R.S.O. 1927, c. 315; 1931, c. 66 am.
- LIQUOR CONTROL ACT. R.S.O. 1927, c. 257; 1928, c. 44 am.; 1929, c. 69 am., c. 75; s. 3 am.; 1930, c. 51 am.; 1932, c. 33 am.; 1933, c. 25 am.; c. 59, s. 24 aff.; 1934, c. 26 am.; 1935, c. 35 am.
- LIVE STOCK AND PRODUCTS ACT. R.S.O. 1927, c. 306; 1932, c. 38 rep. and sup.
- LOAD OF VEHICLES. *See* Highway Traffic Act.
- LOAN AND TRUST CORPORATIONS ACT. R.S.O. 1927, c. 223; 1928, c. 21, s. 10 am., c. 36 am.; 1929, c. 54 am.; 1930, c. 42 am.; 1931, c. 18 aff.; c. 23, s. 18 am.; 1934, c. 27, s. 2 am.; s. 3 aff.; 1935, c. 36 am.
- LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Co-operative Marketing Loan Act; Farm Loans Act; Loan and Trust Corporations Act; Money Lenders Act; Ontario Loan Act; Provincial Loans Act; Rural Power District Loans Act.
- LOCAL IMPROVEMENT ACT. R.S.O. 1927, c. 235; 1928, c. 38 am.; 1929, c. 60 am.; 1930, c. 45 am.; 1931, c. 55 am.; 1932, c. 30 am.; 1933, c. 26 am.; 1935, c. 37 am.
- LONG POINT PARK ACT. R.S.O. 1927, c. 84; 1933, c. 27 am.
- LUNACY ACT. R.S.O. 1927, c. 98; 1929, c. 32 am.; 1930, c. 26 am.
- LUXURY TAX ACT. R.S.O. 1927, c. 33; 1932, c. 10, s. 7 rep.

M

- MAGISTRATES ACT. R.S.O. 1927, c. 119; 1929, c. 23, s. 5 am.; 1930, c. 21, s. 9 am.; 1933, c. 59, s. 14 am.; 1934, c. 28 aff.
- MAGISTRATES' JURISDICTION ACT. 1929, c. 36.
- MANITOBA. *See* Ontario and Manitoba Boundary Line Act.
- MANITOULIN RURAL POWER DISTRICT ACT. 1933, c. 28.
- MARKETING. *See* An Act respecting Dominion Agricultural Credit Company, Limited; Co-operative Marketing Loan Act; Fruit and Vegetables Consignment Act; Fruit Sales Act; Ontario Marketing Act.
- MARRIAGES. *See* Marriage Act; Vital Statistics Act.

- MARRIAGE ACT. R.S.O. 1927, c. 181; 1928, c. 27 am.; 1931, c. 23, s. 14 am.; 1932 c. 53, s. 17 am.; 1933, c. 28 am.
- MARRIED WOMEN'S PROPERTY ACT. R.S.O. 1927, c. 182; 1931, c. 33 am.
- MASTER AND SERVANT ACT. R.S.O. 1927, c. 177; 1929, c. 23, s. 9 am.; 1933, c. 59, s. 20 am.; 1935, c. 38 am.
- MATERNITY BOARDING HOUSE ACT. R.S.O. 1927, c. 278.
- MATRIMONIAL CAUSES ACT. 1931, c. 25.
- MCMASTER UNIVERSITY LANDS ACT. 1931, c. 72.
- MECHANICS' LIEN ACT. R.S.O. 1927, c. 173; 1932, c. 19 am.; 1933, c. 30 am.
- MEDICAL ACT. R.S.O. 1927, c. 196; 1932, c. 22 am.; 1933, c. 31 am.; 1934, c. 29 am.
- MENTAL HOSPITALS ACT. 1935, c. 39.
- MERCANTILE LAW AMENDMENT ACT. R.S.O. 1927, c. 161; 1933, c. 32 am.
- MILK. *See* Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act; Milk Control Act.
- MILK, CHEESE AND BUTTER ACT. R.S.O. 1927, c. 266.
- MILK AND CREAM ACT. R.S.O. 1927, c. 265.
- MILK CONTROL ACT. 1934, c. 30.; 1935, c. 40 am.
- MILLS LICENSING ACT. R.S.O. 1927, c. 39.
- MINIMUM WAGE ACT. R.S.O. 1927, c. 277; 1929, c. 23, s. 14 am.; 1932, c. 36 am.; 1933, c. 59, s. 25 am.; 1934, c. 31 am.
- MINING. *See* Damage by Fumes Arbitration Act; Industrial and Mining Lands Compensation Act; Iron Ore Bounty Act; Mining Act; Mining Schools Act; Mining Tax Act; Radium Act; Unwrought Metal Sales Act.
- MINING ACT. R.S.O. 1927, c. 45; 1928, c. 16 am.; 1929, c. 15 am.; 1930, c. 8 am.; 1931, c. 10 am.; 1932, c. 13 am.; 1933, c. 33 am.; 1934, c. 32 am.; 1935, c. 66, s. 10 am.
- MINING SCHOOLS ACT. R.S.O. 1927, c. 341.
- MINING TAX ACT. R.S.O. 1927, c. 28; 1930, c. 21, s. 3 am.; 1931, c. 8 am.; 1932, c. 7 am.; 1933, c. 34 am.
- MINORITY SHAREHOLDERS RIGHTS ACT. R.S.O. 1927, c. 229.
- MINORS' PROTECTION ACT. R.S.O. 1927, c. 259.
- MONEY-LENDERS ACT. R.S.O. 1927, c. 212.
- MORTGAGE TAX ACT. R.S.O. 1927, c. 156; 1929, c. 44 am.
- MORTGAGES. *See* Bills of Sale and Chattel Mortgages Act; Mortgages Act; Mortgagors' and Purchasers' Relief Act; Short Forms of Mortgages Act.
- MORTGAGES ACT. R.S.O. 1927, c. 140.
- MORTGAGORS' AND PURCHASERS' RELIEF ACT. 1932, c. 49; 1933, c. 35 rep. and sub; 1934, c. 33 aff.; 1935, c. 41 aff.
- MORTMAIN AND CHARITABLE USES ACT. R.S.O. 1927, c. 132.
- MOTOR VEHICLES. *See* Highway Traffic Act.
- MOTHERS' ALLOWANCES ACT. R.S.O. 1927, c. 280; 1928, c. 47 am.; 1929, c. 23, s. 16 am.; 1930, c. 55 am.; 1931, c. 23, s. 20 am.; 1932, c. 53, ss. 29, 30 am.; 1933, c. 36 am.; 1934, c. 54, s. 15 am.; 1935, c. 42 am.
- MOVING PICTURES. *See* Theatres and Cinematographs Act.
- MUNICIPAL AFFAIRS. *See* Assessment Act; Bonus Limitation Act; Department of Municipal Affairs Act; Industrial Sites Act; Local Improvement Act; Municipal Act; Municipal Tax Arrears Consolidation Act; Ontario Municipal Board Act; Planning and Development Act; Statute Labour Act; Suburban Area Development Act.
- MUNICIPAL ACT. R.S.O. 1927, c. 233; 1928, c. 37 am.; 1929, c. 57 am., c. 58 am., c. 79, s. 13 am.; 1930, c. 44 am.; 1931, c. 50 am.; 1932, c. 27, s. 165 am.; 1932, c. 29 am., c. 42, s. 7 (2) am.; 1933, c. 37 am.; 1934, c. 34 am.; 1935, c. 39, Sched. am.; c. 43 am.
- MUNICIPAL ARBITRATIONS ACT. R.S.O. 1927, c. 242; 1928, c. 40 am.; 1935, c. 44 am.
- MUNICIPAL BOARD. *See* Ontario Municipal Board Act.
- MUNICIPAL DRAINAGE ACT. R.S.O. 1927, c. 241; 1931, c. 56 am.; 1933, c. 38 am.
- MUNICIPAL DRAINAGE AID ACT. R.S.O. 1927, c. 64.
- MUNICIPAL ELECTIONS. *See* Municipal Act; Voters' Lists Act.
- MUNICIPAL ELECTRIC RAILWAY ACT. R.S.O. 1927, c. 226.
- MUNICIPAL FRANCHISES ACT. R.S.O. 1927, c. 240; 1929, c. 65 am.; 1933, c. 39 am.
- Municipal Housing Act, 1920, c. 84; 1935, c. 66, s. 11 am.*

- MUNICIPAL AND SCHOOL ACCOUNTS AUDIT ACT. R.S.O. 1927, c. 243; 1931, c. 53 am.; 1932, c. 27, s. 165 rep.
- MUNICIPAL TAX ARREARS CONSOLIDATION ACT. 1935, c. 45.
- MUSEUM. *See* Royal Ontario Museum.

N

- NATURAL GAS. *See* Natural Gas Conservation Act; Mining Tax Act, Part II; Well Drillers Act.
- NATURAL GAS CONSERVATION ACT. R.S.O. 1927, c. 47; 1929, c. 16 am.; 1931, c. 23, ss. 2-5 am.; 1933, c. 59, s. 3 am.
- NEGLIGENCE ACT. 1930, c. 27; 1931, c. 26 am.; 1935, c. 46 am.
- NIAGARA PARKS ACT. R.S.O. 1927, c. 81; 1929, c. 27 am.; 1931, c. 22 am.; 1933, c. 59, s. 5 am.; 1935, c. 47 am.
- NORTHERN DEVELOPMENT ACT. R.S.O. 1927, c. 36; 1929, c. 12 am.; 1933, c. 40 am.; 1934, c. 35 am.
- NORTHERN ONTARIO. *See* Legislative Secretary for Northern Ontario Act; Northern Development Act; Northern Ontario Appropriation Act; Northern Ontario Relief Act.
- NORTHERN ONTARIO APPROPRIATION ACT. 1929, c. 11; 1930, c. 7; 1931, c. 3; 1932, c. 3; 1933, c. 41; 1934, c. 36.
- Northern Ontario Fire Relief Committee Act, 1923, c. 9; 1935, c. 48, s. 3 rep.*
- NORTHERN ONTARIO RELIEF ACT. 1928, c. 10; 1935, c. 48, s. 2 aff., s. 3 rep.
- NOTARIES ACT. R.S.O. 1927, c. 195.
- NOXIOUS WEEDS. *See* Weed Control.
- NURSERY STOCK ACT. 1933, c. 42.
- NURSES. *See* Registration of Nurses Act.

O

- OFFENSIVE WEAPONS ACT. R.S.O. 1927, c. 288.
- OFFICIAL NOTICES PUBLICATION ACT. R.S.O. 1927, c. 21.
- OIL WELLS. *See* Well Drillers Act.
- OLD AGE PENSIONS ACT. 1929, c. 73; 1930, c. 56 am.; 1932, c. 46 am.; 1933, c. 43 am.
- ONE DAY'S REST IN SEVEN ACT. R.S.O. 1927, c. 276.
- ONTARIO AND MANITOBA BOUNDARY LINE ACT. 1929, c. 3.
- ONTARIO HOSPITAL, WOODSTOCK, ACT. R.S.O. 1927, c. 356; 1931, c. 23, s. 29 am; 1935, c. 39, s. 108 rep.
- Ontario Housing Act, 1919, c. 54; 1935, c. 66, s. 12 am.*
- ONTARIO INSTITUTE OF RADIO-THERAPY ACT. 1933, c. 44; 1934, c. 37.
- ONTARIO LOAN ACT. 1928, c. 6; 1929, c. 2; 1930, c. 2; 1931, c. 2; 1932, c. 2; 1933, c. 45; 1934, c. 5; 1935, c. 50.
- ONTARIO MARKETING ACT. 1931, c. 17; 1934, c. 38 am.
- ONTARIO MUNICIPAL BOARD ACT. 1932, c. 27; 1933, c. 59, s. 37 am.; 1934, c. 39 am.; 1935, c. 51 am.
- ONTARIO TRAINING SCHOOLS ACT. 1931, c. 60; 1932, c. 53, s. 37 am.; 1933, c. 59, s. 35 am.; 1935, c. 52 am.
- OPERATING ENGINEERS' ACT. 1932, c. 23.
- OPTOMETRY ACT. R.S.O. 1927, c. 215; 1931, c. 45 am.

P

- PAPER MILLS. *See* Mills Licensing Act.
- PARENTS' MAINTENANCE ACT. R.S.O. 1927, c. 185; 1929, c. 46 am.
- PARKS. *See* Battle of Ridgeway Memorial Park Act; Burlington Beach Act; Long Point Park Act; Niagara Parks Act; Presqu'île Park Act; Provincial Parks Act; Public Parks Act.
- PAROLE ACT. R.S.O. 1927, c. 362; 1929, c. 23, s. 18 am.; 1933, c. 59, s. 30 am.; 1935, c. 66, s. 13 am.

- PARTITION ACT. R.S.O. 1927, c. 142.
- PARTNERSHIP. *See* Limited Partnership Act; Partnership Act; Partnership Registration Act.
- PARTNERSHIP ACT. R.S.O. 1927, c. 170.
- PARTNERSHIP REGISTRATION ACT. R.S.O. 1927, c. 172; 1934, c. 40 am.
- PATRICIA ACT. R.S.O. 1927, c. 5.
- PAWNBROKERS' ACT. R.S.O. 1927, c. 213; 1934, c. 41 am.
- PERSONATION ACT. R.S.O. 1927, c. 9.
- PETTY TRESPASS ACT. R.S.O. 1927, c. 139.
- PHARMACY ACT. R.S.O. 1927, c. 199.
- PLANNING AND DEVELOPMENT ACT. R.S.O. 1927, c. 236; 1929, c. 61 am.; 1930, c. 21, s. 14 am.; 1933, c. 46 am.
- POLICE. *See* Constables Act; Dominion Commissioners of Police Act.
- POLICE MAGISTRATES. *See* Magistrates Act.
- POLITICAL CONTRIBUTIONS ACT. R.S.O. 1927, c. 10; 1929, c. 6 rep. and sup.
- POOL ROOMS. *See* Minors Protection Act.
- POUNDS ACT. R.S.O. 1927, c. 301.
- POWER. *See* Abitibi Canyon Power Development Act; Central Ontario Power Act; Lac Seul Conservation Act; Manitoulin Rural Power District Act; Power Commission Act; Power Commission and Companies Transfer Act; Power Commission Insurance Act; Rural Power District Loans Act; Rural Power District Service Charge Act; Water Powers Regulation Act.
- POWER COMMISSION ACT. R.S.O. 1927, c. 57; 1928, c. 19, ss. 2-5 am., s. 6 aff.; 1929, c. 20 am., c. 21 aff., c. 23, s. 20 aff.; 1930, c. 12, ss. 2-11 am., s. 12 aff.; 1931, c. 13, ss. 2-9 am., ss. 10-14 aff.; 1932, c. 14 aff.; 1933, c. 47, s. 2 am., ss. 3, 4 aff.; 1934, c. 42 am.; 1935, c. 53; c. 54, ss. 2, 3, 5-9 am., s. 4 aff.
- POWER COMMISSION AND COMPANIES' TRANSFER ACT. 1929, c. 22; 1930, c. 16.
- POWER COMMISSION INSURANCE ACT. R.S.O. 1927, c. 60.
- POWERS OF ATTORNEY ACT. R.S.O. 1927, c. 135.
- PRESQU'ILE PARK ACT. R.S.O. 1927, c. 85; 1929, c. 28 am.
- PREVENTION OF ACCIDENTS BY FIRE IN HOTELS ACT. R.S.O. 1927, c. 286; 1929, c. 75, s. 3 rep.
- PRISONS AND PUBLIC CHARITIES INSPECTION ACT. R.S.O. 1927, c. 361; 1931, c. 80 rep. and sup.
- PRIVATE DETECTIVES ACT. R.S.O. 1927, c. 214; 1930, c. 36 am.
- PRIVATE FOREST RESERVES ACT. R.S.O. 1927, c. 290.
- PRIVATE HOSPITALS ACT. 1931, c. 77; 1935, c. 66, s. 14 am.
- PRIVATE SANITARIUM ACT. R.S.O. 1927, c. 355; 1931, c. 23, s. 28 am.; 1935, c. 39, Sched. am.
- PRIVY COUNCIL APPEALS ACT. R.S.O. 1927, c. 86.
- PROBATION ACT. R.S.O. 1927, c. 364; 1929, c. 88 am.
- PROFESSIONAL ENGINEERS ACT. R.S.O. 1927, c. 206.
- PROPERTY AND CIVIL RIGHTS ACT. R.S.O. 1927, c. 130.
- PROTECTION OF BIRDS ACT. R.S.O. 1927, c. 319.
- PROTECTION OF CATTLE ACT. R.S.O. 1927, c. 304; 1928, c. 50 am.
- PROVINCIAL AID TO DRAINAGE ACT. R.S.O. 1927, c. 63; 1929, c. 24 am.; 1933, c. 48 am.
- PROVINCIAL AUCTIONEERS' LICENSE ACT. R.S.O. 1927, c. 217.
- PROVINCIAL FORESTS ACT. 1929, c. 14, rep. and sub.; 1931, c. 23, s. 30 am.
- PROVINCIAL HIGHWAYS. *See* Highway Improvement Act.
- PROVINCIAL LAND TAX ACT. R.S.O. 1927, c. 30; 1928, c. 8 am.; 1930, c. 21, s. 4 am.
- PROVINCIAL LOANS. *See* Loans.
- PROVINCIAL LOANS ACT. R.S.O. 1927, c. 23; 1933, c. 59, s. 2 am.; 1934, c. 43 am.; 1935, c. 55 am.
- PROVINCIAL PARKS ACT. R.S.O. 1927, c. 82; 1934, c. 44 am.; 1935, c. 56 am.
- PSYCHIATRIC HOSPITALS ACT. R.S.O. 1927, c. 354; 1931, c. 23, s. 27 am.; 1935, c. 39, Sched. am.; c. 57 am.
- PUBLIC AUTHORITIES PROTECTION ACT. R.S.O. 1927, c. 120; 1934, c. 45 am.
- PUBLIC BUILDINGS. *See* Egress from Public Buildings.

- PUBLIC COMMERCIAL VEHICLE ACT. R.S.O. 1927, c. 253; 1930, c. 49 am.; 1932, c. 53, s. 28 (1, 2) am.; 1933, c. 49 am.; 1934, c. 46 rep. and sub.
- PUBLIC HEALTH ACT. R.S.O. 1927, c. 262; 1928, c. 45 am.; 1930, c. 52 am.; 1931, c. 58 am.; 1932, c. 34 am.; 1933, c. 50 am.; 1934, c. 47 am.
- PUBLIC HOSPITALS ACT. 1931, c. 78; 1932, c. 53, s. 39 am.; 1933, c. 51 am.; 1934, c. 54, s. 16 am.; 1935, c. 6, s. 3 am.; c. 66, s. 15 am.
- PUBLIC INQUIRIES ACT. R.S.O. 1927, c. 20.
- PUBLIC INSTITUTIONS INSPECTION ACT. 1931, c. 80; 1935, c. 39, Sched. am.
- PUBLIC LANDS ACT. R.S.O. 1927, c. 35; 1928, c. 9 am.
- PUBLIC LIBRARIES ACT. R.S.O. 1927, c. 246; 1929, c. 66 am.; 1931, c. 71, s. 17 am.
- PUBLIC OFFICERS ACT. R.S.O. 1927, c. 17.
- PUBLIC OFFICERS FEES ACT. R.S.O. 1927, c. 19; 1929, c. 9 am.; 1931, c. 23, s. 1 am.; 1933, c. 59, s. 1 am.
- PUBLIC AND OTHER WORKS WAGES ACT. R.S.O. 1927, c. 175.
- PUBLIC PARKS ACT. R.S.O. 1927, c. 248; 1934, c. 48 am.
- PUBLIC REVENUE ACT. R.S.O. 1927, c. 24.
- PUBLIC SCHOOLS ACT. R.S.O. 1927, c. 323; 1928, c. 53, ss. 1, 2 am.; 1929, c. 84, ss. 2, 3, 4 am.; 1930, c. 63, ss. 3-11 am.; 1931, c. 71, ss. 2-7 am.; 1932, c. 42, ss. 2-7 (1) am., 8-14 am.; 1933, c. 58, ss. 5-18 am.; 1934, c. 52, ss. 3, 4 am., s. 5 aff. ss. 6-9 am., s. 16 aff.; 1935, c. 64, s. 3 am.
- PUBLIC SERVICE. *See* An Act for granting to His Majesty certain sums of Money for the Public Service; General Purchasing Agent's Act; Public Officers Fees Act; Public Service Act.
- PUBLIC SERVICE ACT. R.S.O. 1927, c. 16; 1928, c. 5 am.; 1929, c. 7 am.; 1931, c. 6 am.; 1932, c. 5 am.; 1933, c. 52, ss. 2-8 am., s. 9 aff.; 1935, c. 58 am.
- PUBLIC SERVICE WORKS ON HIGHWAYS ACT. R.S.O. 1927, c. 56; 1929, c. 19 am.
- PUBLIC TRUSTEE ACT. R.S.O. 1927, c. 151; 1930, c. 32 am.; 1931, c. 23, s. 8 am.; 1935, c. 39, Sched. am.
- PUBLIC UTILITIES ACT. R.S.O. 1927, c. 249; 1928, c. 41 am.; 1929, c. 67 am.; 1930, c. 21, s. 15 am.; 1931, c. 57 am.; 1934, c. 54, s. 17 am.
- PUBLIC UTILITIES CORPORATIONS ACT. R.S.O. 1927, c. 228.
- PUBLIC WELFARE. *See* Department of Public Welfare Act.
- PUBLIC WORKS ACT. R.S.O. 1927, c. 52; 1932, c. 53, s. 4 am.
- PUBLIC VEHICLE ACT. R.S.O. 1927, c. 252; 1928, c. 43 am.; 1933, c. 53 am.; 1934, c. 49 am.; 1935, c. 59 am.
- PULP AND PULPWOOD. *See* Crown Timber Act; Mills Licensing Act; Pulpwood Conservation Act.
- PULPWOOD CONSERVATION ACT. 1929, c. 13.

Q

- QUIETING TITLES ACT. R.S.O. 1927, c. 154; 1931, c. 23, s. 9 am.

R

- RACE TRACKS. *See* Corporations Tax Act.
- RADIO-THERAPY. *See* Ontario Institute of Radio-Therapy Act.
- RADIUM ACT. R.S.O. 1927, c. 46.
- RAILWAY ACT. R.S.O. 1927, c. 224; 1930, c. 43 am.; 1932, c. 53, s. 25 am.; 1935, c. 60 am.
- RAILWAY FIRE CHARGE ACT. R.S.O. 1927, c. 292.
- RAILWAY AND MUNICIPAL BOARD ACT. R.S.O. 1927, c. 225; 1928, c. 21, s. 11 am.; 1929, c. 23, s. 12 am.; 1932, c. 27, s. 165 rep.
- RAILWAYS. *See* Guelph Railway Act; Hydro-Electric Railway Act; Municipal Electric Railway Act; Ontario Municipal Board Act; Railway Act; Railway Fire Charge Act; Sandwich, Windsor and Amherstburg Railway Act; Windsor, Essex and Lake Shore Rapid Railway Act.
- REAL ESTATE BROKERS ACT. 1930, c. 40; 1933, c. 59, s. 34 am.; 1935, c. 61, rep. and sup.
- RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT. 1929, c. 29.
- REFORESTATION. *See* Forestry Act.
- REFORMATORY ACT. R.S.O. 1927, c. 345; 1931, c. 23, s. 22 am.

- REGISTRATION. *See* Land Titles Act; Partnership Registration Act; Registration of Nurses Act; Registry Act; Vital Statistics Act.
- REGISTRATION OF NURSES ACT. R.S.O. 1927, c. 360; 1929, c. 87 am.; 1933, c. 54 am.
- REGISTRY ACT. R.S.O. 1927, c. 155; 1929, c. 43 am.; 1930, c. 34 am.; 1931, c. 23, s. 10 am.; 1932, c. 17 am.; 1933, c. 59, s. 18 am.; 1934, c. 50 am.; 1935, c. 62 am.
- RELIEF LAND SETTLEMENT ACT. 1933, c. 55; 1935, c. 63.
- RELIGIOUS INSTITUTIONS ACT. R.S.O. 1927, c. 344.
- REPLEVIN ACT. R.S.O. 1927, c. 99.
- REPRESENTATION ACT. R.S.O. 1927, c. 6; 1933, c. 56 rep. and sub.; 1934, c. 51 am.
- RESEARCH FOUNDATION ACT. 1928, c. 57; 1929, c. 86 am.
- RETURNED SOLDIERS' AND SAILORS' LAND SETTLEMENT ACT. 1917, c. 13; 1918, c. 8, s. 2 aff.; 1919, c. 15 aff.; 1920, c. 16 am.; 1921, c. 18 aff.; 1926, c. 9, s. 2 aff.; c. 10, ss. 3, 6, 11 aff.; 1927, c. 13 aff.
- REVENUE. *See* An Act for granting to His Majesty certain sums of money for the Public Service; An Act for Raising Money on the Credit of the Consolidated Revenue Fund; Consolidated Revenue Fund Act; Public Revenue Act; Supplementary Revenue Act.
- REVISED STATUTES ACT. 1928, c. 2.
- RIVERS. *See* Beach Protection Act; Beaches and River Beds Act; Bed of Navigable Waters Act; Lakes and Rivers Improvement Act.
- ROADS. *See* Highway.
- ROYAL ONTARIO MUSEUM ACT. R.S.O. 1927, c. 343; 1928, c. 21, s. 23 aff.
- RURAL HYDRO-ELECTRIC DISTRIBUTION ACT. R.S.O. 1927, c. 59.
- RURAL POWER DISTRICT LOANS ACT. 1930, c. 14.
- RURAL POWER DISTRICT SERVICE CHARGE ACT. 1930, c. 15.

S

- SALE OF GOODS ACT. R.S.O. 1927, c. 163.
- SALES. *See* Alberta Coal Sales Act; Bread Sales Act; Bulk Sales Act; Conditional Sales Act; Fruit and Vegetables Consignment Act; Fruit Sales Act; Milk and Cream Act; Milk, Cheese and Butter Act; Sale of Goods Act; Tax Sales Confirmation Act.
- SANATORIA FOR CONSUMPTIVES ACT. R.S.O. 1927, c. 357; 1931, c. 76 rep. and sup.; 1932, c. 53, s. 38 am.; 1933, c. 57 am.; 1934, c. 54, s. 18 am.; 1935, c. 6, s. 4 am.
- SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY ACT. 1930, c. 17; 1932, c. 53, s. 44 aff.; c. 56 am.; 1933, c. 59, s. 32 am.; 1935, c. 66, s. 16 am.
- SAWLOGS. *See* Cullers' Act; Lakes and Rivers Improvement Act, Part VI.
- SAW MILLS. *See* Mills Licensing Act.
- SCHOOL ATTENDANCE ACT. R.S.O. 1927, c. 332; 1930, c. 63, ss. 23-28 am.; 1932, c. 42, ss. 20-23 am.
- SCHOOL LAW AMENDMENT ACT. 1928, c. 53; 1929, c. 84; 1930, c. 63; 1931, c. 71; 1932, c. 42; 1933, c. 58; 1934, c. 52; 1935, c. 64.
- SCHOOL SITES ACT. R.S.O. 1927, c. 335; 1928, c. 54 rep. and sup.; 1930, c. 63, s. 31 am.
- SCHOOL TRUST CONVEYANCES ACT. R.S.O. 1927, c. 336.
- SCHOOLS. *See* Education; Ontario Training Schools Act; School Sites Act; School Trust Conveyances Act.
- SCHOOLS FOR THE DEAF AND BLIND ACT. R.S.O. 1927, c. 330.
- SECURITIES ACT. 1930, c. 39; 1931, c. 48 am.; 1932, c. 53, s. 36 am.; 1933, c. 59, s. 33 am.; 1935, c. 66, s. 17 am.
- SECURITY FRAUDS PREVENTION ACT. 1928, c. 34; 1929, c. 51 am.; 1930, c. 39 rep. and sup.; 1931, c. 48 am.; 1932, c. 53, s. 36 am. *See* Securities Act.
- SEDUCTION ACT. R.S.O. 1927, c. 102.
- SEED GRAIN SUBSIDY ACT. 1934, c. 53.
- SEPARATE SCHOOLS ACT. R.S.O. 1927, c. 328; 1928, c. 53, s. 8 am.; 1930, c. 63, s. 20 am.; 1933, c. 58, ss. 31, 32 am.; 1934, c. 52, s. 15 am.
- SETTLED ESTATES ACT. R.S.O. 1927, c. 105.
- SHEEP. *See* Dog Tax and Sheep Protection Act.
- SHERIFF'S ACT. R.S.O. 1927, c. 18; 1929, c. 8 am.; 1930, c. 21, s. 1 am.
- SHORT FORMS OF CONVEYANCES ACT. R.S.O. 1927, c. 143.
- SHORT FORMS OF LEASES ACT. R.S.O. 1927, c. 144; 1929, c. 23, s. 7 am.

- SHORT FORMS OF MORTGAGES ACT. R.S.O. 1927, c. 145.
- SHOWS. *See* Theatres and Cinematographs Act; Travelling Shows Act.
- SILICOSIS ACT. 1929, c. 71; 1930, c. 59 am.
- SNOW ROADS AND FENCES ACT. R.S.O. 1927, c. 254.
- SOLDIERS. *See* Returned Soldiers' and Sailors' Land Settlement Act; Soldiers' Aid Commission Act.
- SOLDIERS' AID COMMISSION ACT. 1929, c. 4 rep. and sup.
- SOLICITORS ACT. R.S.O. 1927, c. 194, 1934, c. 54, s. 19 am.
- STALLION ACT. R.S.O. 1927, c. 303.
- STANDARD HOTEL REGISTRATION OF GUESTS' ACT. R.S.O. 1927, c. 258; 1929, c. 75, s. 3 rep.
- STATIONARY AND HOISTING ENGINEERS' ACT. R.S.O. 1927, c. 207; 1932, c. 23, s. 18 rep.
- STATUTE OF FRAUDS. R.S.O. 1927, c. 131; 1929, c. 23, s. 6 am.; 1935, c. 65 am.
- STATUTE LABOUR ACT. R.S.O. 1927, c. 239; 1933, c. 59, s. 23 am.; 1935, c. 66, s. 18 am.
- STATUTE LAW AMENDMENT ACT. 1928, c. 21; 1929, c. 23; 1930, c. 21; 1931, c. 23; 1932, c. 53; 1933, c. 59; 1934, c. 54; 1935, c. 66.
- STATUTES ACT. R.S.O. 1927, c. 2.
- STEAM BOILER ACT. R.S.O. 1927, c. 308; 1929, c. 80 am.; 1932, c. 39 am.
- STEAM THRESHING ENGINES ACT. R.S.O. 1927, c. 307.
- STENOGRAPHIC REPORTERS ACT. R.S.O. 1927, c. 204; 1933, c. 60 am. *See* Chartered Shorthand Reporters Act.
- SUBURBAN AREA DEVELOPMENT ACT. R.S.O. 1927, c. 237; 1929, c. 62 am.
- SUBURBAN AREAS. *See* Planning and Development Act; Suburban Area Development Act.
- SUCCESSION DUTY ACT. R.S.O. 1927, c. 26; 1928, c. 7 am.; 1929, c. 19 am.; 1931, c. 7 am.; 1932, c. 6 am.; 1933, c. 61 am.; 1934, c. 55, rep. and sup.; 1935, c. 67 am.
- SULPHUR FUMES. *See* Damage by Fumes Arbitration Act.
- SUMMARY CONVICTIONS ACT. R.S.O. 1927, c. 121; 1929, c. 37 am.; 1930, c. 21, s. 10 am.; 1931, c. 30 am.; 1934, c. 54, s. 9 aff., c. 56, am.
- SUPERANNUATION. *See* Public Service Act, Part III; Teachers' and Inspectors' Superannuation Act.
- SUPPLEMENTARY REVENUE ACT. 1932, c. 10.
- SURROGATE COURTS ACT. R.S.O. 1927, c. 94; 1929, c. 23, s. 4 am.; 1930, c. 21, s. 8 am., c. 25, s. 4 rep.; 1933, c. 63 am.; 1935, c. 69 am.
- SURVEYORS. *See* Land Surveyors' Act.
- SURVEYS ACT. R.S.O. 1927, c. 202; 1931, c. 42 am.

T

- TAXATION. *See* Amusements Tax Act; Assessment Act; Corporations Tax Act; Fuel Oil Tax Act; Gasoline Tax Act; Land Transfer Tax Act; Mining Tax Act; Mortgage Tax Act; Provincial Land Tax Act; Railway Fire Charge Act; Supplementary Revenue Act; Succession Duty Act; Tax Sales Confirmation Act.
- TAX SALES CONFIRMATION ACT. 1929, c. 64; 1931, c. 52.
- TEACHERS' AND INSPECTORS' SUPERANNUATION ACT. R.S.O. 1927, c. 331; 1929, c. 84, s. 13 am.; 1930, c. 63, ss. 21, 22 am.; 1932, c. 42, s. 19 am.; 1933, c. 58, ss. 33-35 am.; 1934, c. 52, ss. 17, 18 am.; 1935, c. 64, s. 5 am.
- TECHNICAL EDUCATION. *See* Vocational Education Act.
- TELEGRAPH COMPANIES ACT. R.S.O. 1927, c. 220.
- TELEPHONE ACT. R.S.O. 1927, c. 227; 1928, c. 21, s. 12 am.; 1931, c. 23, s. 19 am.; 1932, c. 27 am.; 1935, c. 66, s. 21 am.
- TEMISKAMING AND NORTHERN ONTARIO RAILWAY ACT. R.S.O. 1927, c. 53; 1934, c. 58 am.; 1935, c. 70 am.
- TERRITORIAL DIVISION ACT. R.S.O. 1927, c. 3.
- THEATRES AND CINEMATOGRAPHS ACT. R.S.O. 1927, c. 285; 1930, c. 58 am.; 1931, c. 61 am.; 1932, c. 53, s. 31 am.; 1933, c. 64 am.
- THRESHING MACHINES. *See* Steam Threshing Engines Act; Threshing Machines Act.
- THRESHING MACHINES ACT. R.S.O. 1927, c. 287.
- TICKET SPECULATION ACT. R.S.O. 1927, c. 273.
- TILE DRAINAGE ACT. R.S.O. 1927, c. 65; 1928, c. 21, s. 2 am.; 1929, c. 25 rep. and sup.; 1931, c. 16 am.; 1934, c. 59 am.

- TIMBER. *See* Crown Timber Act; Cullers' Act; Provincial Forests Act; Pulpwood Conservation Act; Forestry Act; Timber Cutting Regulation Act.
- TIMBER CUTTING REGULATION ACT. 1928, c. 15.
- TORONTO GENERAL HOSPITAL ACT. R.S.O. 1927, c. 358; 1928, c. 58 aff; 1931, c. 140 am.
- TOWN SITES ACT. R.S.O. 1927, c. 44.
- TRADE DISPUTES ACT. R.S.O. 1927, c. 178; 1932, c. 20, s. 5 rep.
- TRAINING SCHOOLS ACT. *See* Ontario Training Schools Act.
- TRANSFER OF PROPERTY. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Registry Act; Short Forms of Conveyances Act.
- TRANSPORTATION OF FOWL ACT. 1929, c. 79; 1932, c. 47 am.
- TRAVELLING SHOWS ACT. R.S.O. 1927, c. 256; 1930, c. 50 am.
- TREE PLANTING ACT. R.S.O. 1927, c. 255.
- TRUST CORPORATIONS ACT. *See* Loan and Trust Corporations Act.
- TRUSTEE ACT. R.S.O. 1927, c. 150; 1928, c. 23 am.; 1930, c. 31 am.; 1931, c. 23, s. 7 am.; 1933, c. 59, s. 17 am.; 1934, c. 60 am.; 1935, c. 66, s. 22 am.

U

- UNDERTAKERS. *See* Embalmers and Funeral Directors Act.
- UNEMPLOYMENT RELIEF ACT. 1931, c. 4; 1932, c. 4; 1933, c. 65; 1934, c. 61 am.; 1935, c. 71, rep. and sup.
- UNIVERSITY ACT. R.S.O. 1927, c. 337; 1930, c. 63, ss. 29, 30 am.; 1932, c. 53, s. 43 aff.
- UNIVERSITY AVENUE EXTENSION ACT. 1928, c. 17; 1929, c. 23, s. 19 am.
- UNIVERSITY LANDS ACT. 1928, c. 55; 1929, c. 85 am.; 1930, c. 65 aff.
- UNIVERSITY OF WESTERN ONTARIO ACT. 1928, c. 56; 1932, c. 54 aff.
- UNWROUGHT METAL SALES ACT. R.S.O. 1927, c. 50.
- UPPER CANADA COLLEGE ACT. R.S.O. 1927, c. 338; 1933, c. 59, s. 28 aff.

V

- VACANT LAND CULTIVATION ACT. R.S.O. 1927, c. 250.
- VACCINATION ACT. R.S.O. 1927, c. 263.
- VEGETABLES. *See* Fruit and Vegetables Consignment Act.
- VEHICLES. *See* Highway Traffic Act; Public Vehicle Act; Public Commercial Vehicle Act.
- VENDORS AND PURCHASERS ACT. R.S.O. 1927, c. 153.
- VENEREAL DISEASES PREVENTION ACT. R.S.O. 1927, c. 264; 1934, c. 62 am.
- VETERANS. *See* Burial of War Veterans Act.
- Veterans' Land Grant Act.* 1901, c. 6; 1920, c. 15; 1922, c. 17 am.
- VETERINARY COLLEGE ACT. R.S.O. 1927, c. 340.
- VETERINARY SCIENCE PRACTICE ACT. R.S.O. 1927, c. 208; 1931, c. 44 rep. and sup.; 1933, c. 66, ss. 2, 6, 7 am., 3-5 aff.
- VEXATIOUS ACTIONS. *See* Public Authorities Protection Act; Vexatious Proceedings Act.
- VEXATIOUS PROCEEDINGS ACT. 1930, c. 24.
- VICIOUS DOGS ACT. 1931, c. 64.
- VICTORIA HOSPITAL, LONDON, ACT. 1935, c. 72.
- VITAL STATISTICS ACT. R.S.O. 1927, c. 78; 1929, c. 26 am.; 1930, c. 19 am.; 1931, c. 21 am.
- VOCATIONAL EDUCATION ACT. R.S.O. 1927, c. 334; 1929, c. 84, ss. 14, 15 am.; 1930, c. 64 rep. and sup.; 1931, c. 71, s. 15 am.; 1933, c. 58, ss. 36, 37 am.; 1934, c. 52, s. 19 am.
- VOTERS' LISTS ACT. R.S.O. 1927, c. 7; 1929, c. 23, s. 1 am.; 1932, c. 53, s. 1 am.; 1933, c. 67, ss. 2-9, 14, 15 am., 10-13 aff.; 1934, c. 63 am.

W

- WAGES. *See* Minimum Wage Act; Public and other Works Wages Act.
- WAGES ACT. R.S.O. 1927, c. 176; 1935, c. 73 am.
- WAREHOUSEMEN'S LIEN ACT. R.S.O. 1927, c. 169.

WATER POWERS REGULATION ACT. R.S.O. 1927, c. 58.

WEED CONTROL ACT. R.S.O. 1927, c. 309; 1928, c. 51 am.; 1934, c. 64 am.; 1935, c. 49, rep. and sup.

WELL DRILLERS ACT. R.S.O. 1927, c. 48; 1935, c. 66, s. 23 am.

WHARFS AND HARBOURS ACT. R.S.O. 1927, c. 221.

WILLS ACT. R.S.O. 1927, c. 149.

WINDSOR, CITY OF, AMALGAMATION. 1935, c. 74.

WINDSOR, ESSEX AND LAKE SHORE RAILWAY ACT. 1929, c. 56, ss. 2-18 aff., s. 19 am.; 1930, c. 18, ss. 2-4 aff., s. 5 am.; 1932, c. 99 aff.; 1933, c. 111, aff.; 1934, c. 54, s. 21 aff.; 1935, c. 66, s. 24 am.

WINDSOR-WALKERVILLE VOCATIONAL SCHOOL ACT. 1934, c. 65.

WITNESSES. *See* Evidence Act.

WIVES. *See* Deserted Wives' and Children's Maintenance Act; Dependants' Relief Act; Dower Act.

WOLF BOUNTY ACT. R.S.O. 1927, c. 320; 1928, c. 21, s. 13 am.; 1929, c. 83 am.; 1930, c. 21, s. 17 am.; 1931, c. 70 am.; 1933, c. 68 am.

WOMEN. *See* Deserted Wives' and Children's Maintenance Act; Dower Act; Factory, Shop and Office Building Act; Female Patients and Prisoners Protection Act; Female Refuges Act; Minimum Wage Act; Mothers' Allowances Act.

WOODMEN'S EMPLOYMENT ACT. 1934, c. 66.

WOODMEN'S LIEN FOR WAGES ACT. R.S.O. 1927, c. 174; 1933, c. 69 am.

WORKMEN'S COMPENSATION ACT. R.S.O. 1927, c. 179; 1928, c. 26 am.; 1931, c. 37 am.; 1932, c. 21 am.; 1933, c. 70 am.; 1935, c. 75 am.

WORKMEN'S COMPENSATION INSURANCE ACT. R.S.O. 1927, c. 180.

TABLE OF PUBLIC STATUTES

R.S.O. 1927—1935

Which were to be brought into force
by Proclamation

A

TABLE SHOWING WHICH OF SUCH ACTS OR PARTS
THEREOF NOW IN FORCE AND THE RESPECTIVE
DATES UPON WHICH THEY CAME INTO FORCE

ASSIGNMENT OF BOOK DEBTS ACT. 1931, c. 35. 8th June, 1932.
ASSIGNMENT OF BOOK DEBTS ACT. 1932, c. 48. 8th June, 1932.
AUTOMOBILE INSURANCE ACT. 1932, c. 25. 1st September, 1932.
CEMETERIES ACT, 1931, c. 68. 2nd November, 1931.
COMPANIES ACT. 1928, c. 32. Sections 1 to 12. 10th May, 1928.
COMPANIES INFORMATION ACT. 1928, c. 33. 10th May, 1928.
CONSTABLES ACT. 1929, c. 39. 24th June, 1929.
CORPORATION SECURITIES REGISTRATION ACT. 1932, c. 50. 30th May, 1932.
HIGHWAY TRAFFIC ACT. 1932, c. 32, Sections 6 and 9. 1st September, 1932.
HOTELS ACT. 1929, c. 75, Sections 15 to 22. 1st May, 1930.
INDUSTRIAL DISPUTES INVESTIGATION ACT. 1932, c. 20. 15th August, 1932.
INSURANCE ACT. 1928, c. 35, Sections 2 to 9. 2nd July, 1928.
INSURANCE ACT. 1931, c. 49, Section 10. 1st July, 1931.
INSURANCE ACT. 1933, c. 22, Section 15. 1st June, 1933.
INSURANCE AMENDMENT ACT. 1935, c. 29, sections 30 to 36. 1st July, 1935.
LAC SEUL CONSERVATION ACT. 1928, c. 12. 30th June, 1928.
LIQUOR CONTROL ACT. 1930, c. 51, Sections 5, 7, 8 and 12. 1st November, 1930.
LIQUOR CONTROL ACT. 1934, c. 26. 12th July, 1934.
MILK CONTROL ACT. 1934, c. 30. 18th April, 1934.
MINING ACT. 1928, c. 16, Section 3. 1st January, 1929.
OLD AGE PENSIONS ACT. 1929, c. 73. 1st November, 1929.
ONTARIO MARKETING ACT. 1934, c. 38. 17th December, 1934.
POWER COMMISSION ACT (No. 2). 1929, c. 21, s. 3. 17th July, 1929.
PUBLIC COMMERCIAL VEHICLE ACT. R.S.O. 1927, c. 253. 17th September, 1928.
RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT. 1929, c. 29. 3rd February, 1930.
SCHOOL SITES ACT. 1928, c. 54. 14th May, 1928.
SECURITIES ACT. 1931, c. 48. 1st May, 1931.
TRANSPORTATION OF FOWL ACT. 1929, c. 79. 16th December, 1929.
WORKMEN'S COMPENSATION ACT. 1933, c. 70, Section 4, Subsection 3. 1st March, 1934.

B

TABLE SHOWING WHICH OF SUCH ACTS OR PARTS THEREOF
ARE NOT PROCLAIMED AS OF 25TH MAY, 1935

ASSESSMENT ACT. 1931, c. 51, Section 5.
BARRISTERS ACT. R.S.O. 1927, c. 193, s. 6.
CORPORATIONS TAX ACT. 1935, c. 39, sched.
DESERTED WIVES' AND CHILDREN'S MAINTENANCE ACT. 1934, c. 10.
ELECTION ACT. 1930, c. 3.
FUEL OIL TAX ACT. 1932, c. 12.
HOTELS ACT. 1929, c. 75, Sections 1 to 14 and 23 to 33.

- INSURANCE ACT. R.S.O. 1927, c. 222, ss. 274, 275 (*see* 1931, c. 23, s. 17).
INSURANCE ACT. 1930, c. 41, section 12.
INSURANCE AMENDMENT ACT. 1935, c. 29, sections 2 to 29.
INSURANCE (TEMPORARY PROVISIONS) ACT. 1932, c. 26 (*see* 1933, c. 23 and 1934, c. 23)
IRON ORE BOUNTY ACT. 1930, c. 9.
LIQUOR CONTROL ACT. 1929, c. 69, Section 5.
MENTAL HOSPITALS ACT. 1935, c. 39.
MUNICIPAL ACT. 1935, c. 39 sched.
PRIVATE SANITARIUM ACT. 1935, c. 39, sched.
PSYCHIATRIC HOSPITALS ACT. 1935, c. 39, sched.
PUBLIC INSTITUTIONS INSPECTION ACT. 1935, c. 39 sched.
PUBLIC TRUSTEE ACT. 1935, c. 39, sched.
SILICOSIS ACT. 1929, c. 71.
SILICOSIS ACT. 1930, c. 59.

Table of Proclamations, Orders-in-Council and
Regulations Made from 1st January, 1933
to 25th May, 1935, which are
in Force and of General Effect

1933

CHILDREN'S PROTECTION ACT.

Regulations governing Children's Aid Societies.

Order-in-Council, 11th March, 1933—Gazette, 25th March, 1933.

CORPORATIONS TAX ACT.

General regulations.

Order-in-Council, 27th April, 1933—Gazette, 6th May, 1933.

EMBALMERS AND FUNERAL DIRECTORS ACT.

Amending regulations—in force from 1st January, 1934.

Order-in-Council, 15th August, 1933—Gazette, 19th August, 1933.

FRUIT PEST ACT.

Amending regulations.

Order-in-Council, 9th May, 1933—Gazette, 1st July, 1933.

GAME AND FISHERIES ACT.

Regulations as to Frogs.

Order-in-Council, 2nd May, 1933—Gazette, 13th May, 1933.

Regulations as to Groundhogs.

Order-in-Council, 9th May, 1933—Gazette, 20th May, 1933.

Regulations as to Guests of Province.

Order-in-Council, 9th May, 1933—Gazette, 20th May, 1933.

Regulations as to Guides' licenses.

Order-in-Council, 9th May, 1933—Gazette, 20th May, 1933.

Regulations as to Pelt permits.

Order-in-Council, 13th June, 1933—Gazette, 27th June, 1933.

HIGHWAY TRAFFIC ACT.

Application of Subsection 1a of Section 73 to judgments recovered against residents of Ontario in the courts of Michigan, U.S.A.

Proclamation, 17th October, 1933—Gazette, 4th November, 1933.

LIQUOR CONTROL ACT.

Amending regulations.

Order-in-Council, 3rd March, 1933—Gazette, 11th March, 1933.

Order-in-Council, 28th March, 1933—Gazette, 1st April, 1933.

Order-in-Council, 3rd November, 1933—Gazette, 11th November, 1933.

Order-in-Council, 15th December, 1933—Gazette, 23rd December, 1933.

LIVE STOCK AND LIVE STOCK PRODUCTS ACT.

Beef-grading regulations (Canada) of 13th February, 1929 (Canada Gazette of 23rd February, 1929), proclaimed in force in Ontario.

Proclamation, 13th June, 1933—Ontario Gazette, 1st July, 1933.

PROVINCIAL LAND TAX ACT.

Annual tax for 1934.

Order-in-Council, 9th May, 1933—Gazette, 10th June, 1933.

PUBLIC HEALTH ACT.

Regulations governing fumigation of buildings.

Order-in-Council, 3rd November, 1933—Gazette, 11th November, 1933.

PUBLIC HOSPITALS ACT.

Regulations governing public hospitals.

Order-in-Council, 13th December, 1933—Gazette, 7th January, 1934.

RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT.

Application to Province of New Brunswick.

Order-in-Council, 24th October, 1933—Gazette, 28th October, 1933.

SECURITIES ACT.

Amending regulations.

Order-in-Council, 9th May, 1933—Gazette, 3rd June, 1933.

Order-in-Council, 21st September, 1933—Gazette, 30th September, 1933.

1934

DEPARTMENT OF MUNICIPAL AFFAIRS.

Establishment.

Order-in-Council, 8th August, 1934—Gazette, 11th August, 1934.

ELECTION ACT.

Issuing of writs for general election.

Proclamation, 16th May, 1934—Gazette, 19th May, 1934.

FRUIT ACT.

Regulations under The Fruit and Honey Act, Canada (Canada Gazette, 30th June, 1934) proclaimed in force in Ontario.

Proclamation, 23rd October, 1934—Gazette, 10th November, 1934.

GAME AND FISHERIES ACT.

Beaver and Otter, amendment of Order re taking.

Order-in-Council, 28th March, 1934—Gazette, 7th April, 1934.

Frogs, amendment of Order re taking.

Order-in-Council, 17th April, 1934—Gazette, 21st April, 1934.

Muskrats, extension of time for taking.

Order-in-Council, 10th April, 1934—Gazette, 14th April, 1934.

Order-in-Council, 1st May, 1934—Gazette, 5th May, 1934.

Non-resident angling licenses, amendment of Order re fees.

Order-in-Council, 17th April, 1934—Gazette, 21st April, 1934.

Order-in-Council, 8th May, 1934—Gazette, 12th May, 1934.

Burwash Crown Game Preserve, establishment.

Order-in-Council, 1st May, 1934—Gazette, 5th May, 1934.

North Easthope Crown Game Preserve, establishment.

Order-in-Council, 29th May, 1934—Gazette, 2nd June, 1934.

Barkley Crown Game Preserve, establishment.

Order-in-Council, 10th July, 1934—Gazette, 21st July, 1934.

Grouse, regulations as to taking.

Order-in-Council, 25th September, 1934—Gazette, 29th September, 1934.

Partridge, pheasants and quail, open season for.

Order-in-Council, 16th October, 1934—Gazette, 20th October, 1934.

Pheasants, open season on Pelee Island.

Order-in-Council, 16th October, 1934—Gazette, 20th October, 1934.

Deer, open season in Carleton County.

Order-in-Council, 25th October, 1934—Gazette, 3rd November, 1934.

Nayaushie Crown Game Preserve, Order establishing, rescinded.

Order-in-Council, 25th October, 1934—Gazette, 3rd November, 1934.

Sucker Lake, Order closing to fishing, rescinded.

Order-in-Council, 25th October, 1934—Gazette, 3rd November, 1934.

Rifles to be used in Essex County, regulations as to power of.

Order-in-Council, 9th November, 1934—Gazette, 17th November, 1934.

Fishing licenses, amendment of Order re.

Order-in-Council, 6th December, 1934—Gazette, 15th December, 1934.

Order-in-Council, 18th December, 1934—Gazette, 29th December, 1934.

Order-in-Council, 20th December, 1934—Gazette, 29th December, 1934.

Order re fishing in lakes in Thunder Bay District rescinded.

Order-in-Council, 20th December, 1934—Gazette, 29th December, 1934.

GASOLINE HANDLING ACT.

General regulations.

Order-in-Council, 14th May, 1934—Gazette, 19th May, 1934.

GUARANTEE COMPANIES SECURITIES ACT.

Bonds of Pearl Assurance Company given and accepted as security under.
Order-in-Council, 7th March, 1934—Gazette, 17th March, 1934.

HIGHWAY IMPROVEMENT ACT.

Mileage added to King's Highway System.

Order-in-Council, 27th February, 1934—Gazette 10th March, 1934.

Order-in-Council, 29th May, 1934—Gazette, 9th June, 1934.

Order-in-Council, 13th June, 1934—Gazette, 30th June, 1934.

HIGHWAY TRAFFIC ACT.

Application of Subsection 1a of Section 73 to judgments recovered against residents of Ontario in courts of Pennsylvania, U.S.A.

Proclamation, 9th January, 1934—Gazette, 20th January, 1934.

INSURANCE ACT.

Application of non-marine underwriters.

Order-in-Council, 29th November—Gazette, 1st December, 1934.

JUDICATURE ACT.

Bonds of Pearl Assurance Company given and accepted as security under.

Order-in-Council, 7th March, 1934—Gazette, 17th March, 1934.

KING'S COUNSEL.

Certain names to be deleted from Order-in-Council, and Letters Patent cancelled.

Order-in-Council, 20th December, 1934—Gazette, 5th January, 1935.

LIQUOR CONTROL ACT.

Liquor Control Board.

Order-in-Council, 11th July, 1934—Gazette, 14th July, 1934.

General regulations.

Order-in-Council, 18th July, 1934—Gazette, 21st July, 1934.

Amending regulations.

Order-in-Council, 28th August, 1934—Gazette, 1st September, 1934.

LIVE STOCK AND LIVE STOCK PRODUCTS ACT.

Regulations re egg-grading, Canada (Canada Gazette, 28th October, 1933) proclaimed in force in Ontario.

Proclamation, 20th February, 1934—Gazette, 24th February, 1934.

Regulations re grading and marketing of dressed poultry, Canada (Canada Gazette, 19th December, 1931) proclaimed in force in Ontario.

Proclamation, 2nd October, 1934—Gazette, 13th October, 1934.

MAGISTRATES ACT.

Appointment of magistrates.

Order-in-Council, 16th August—Gazette, 25th August, 1934.

MILK CONTROL ACT.

Members of Milk Control Board.

Order-in-Council, 10th April, 1934—Gazette, 14th April, 1934.

Order-in-Council, 1st May, 1934—Gazette, 5th May, 1934.

Order-in-Council, 17th July, 1934—Gazette, 21st July, 1934.

General regulations.

Order-in-Council, 8th May, 1934—Gazette, 12th and 19th May, 1934.

MINING ACT.

Regulations re utilization of electrical currents for locating underground deposits of ore.

Order-in-Council, 9th February, 1934—Gazette, 17th February, 1934.

Sabine Township, portion of, exempted from provisions of Section 103.

Order-in-Council, 9th February, 1934—Gazette, 24th February, 1934.

Mining location A3, cancellation of forfeiture.

Order-in-Council, 10th March, 1934—Gazette, 24th March, 1934.

Mining location A4, amendment of Order re.

Order-in-Council, 10th March, 1934—Gazette, 24th March, 1934.

Mining licenses, extension of time for taking out.

Order-in-Council, 28th March, 1934—Gazette, 31st March, 1934.

Kowkash Mining Division, boundaries.

Order-in-Council, 28th March, 1934—Gazette, 7th April, 1934.

Exemption of lands in Fraser Township.

Order-in-Council, 13th June, 1934—Gazette, 23rd June, 1934.

MINING ACT—*Continued*

Order withdrawing lands in Townships of Marshay and Beulah from prospecting, rescinded.

Order-in-Council, 20th November, 1934—Gazette, 1st December, 1934.

Withdrawal of lands on Kenora-Fort Frances, Kenora-Manitoba, Kenora-Vermilion Bay highways from prospecting and staking out.

Order-in-Council, 18th December, 1934—Gazette, 12th January, 1935.

ONTARIO HAIRDRESSERS AND BARBERS ASSOCIATION ACT.

Provisional by-laws of Association approved.

Order-in-Council, 20th February, 1934—Gazette, 3rd March, 1934.

POWER COMMISSION ACT.

Members of Hydro-Electric Power Commission.

Orders-in-Council, 11th July, 1934—Gazette, 14th July, 1934.

PROVINCIAL LAND TAX ACT.

Annual tax for year 1935.

Order-in-Council, 22nd May, 1934—Gazette, 2nd June, 1934.

PUBLIC HEALTH ACT.

General regulations.

Order-in-Council, 17th April, 1934—Gazette, 5th May, 1934.

PUBLIC OFFICERS ACT.

Bonds of Pearl Assurance Company given and accepted as security under.

Order-in-Council, 7th March, 1934—Gazette, 17th March, 1934.

SECURITIES ACT.

Amending regulations.

Order-in-Council, 9th October, 1934—Gazette, 13th October, 1934.

SEED GRAIN SUBSIDY ACT.

General regulations.

Order-in-Council, 17th April, 1934—Gazette, 21st April, 1934.

1935

(to 25th May, 1935)

CROWN TIMBER ACT.

Suspension of manufacturing conditions.

Order-in-Council, 23rd March, 1935—Gazette, 20th April, 1935.

FRUIT ACT.

Regulations re potato grading under the Root Vegetables Act Canada (Canada Gazette, 18th January, 1935) proclaimed in force in Ontario.

Proclamation, 22nd February, 1935—Gazette, 2nd March, 1935.

GAME AND FISHERIES ACT.

Muskrat, regulations as to.

Order-in-Council, 5th March, 1935—Gazette, 9th March, 1935.

Resident trappers' licenses (southern section) extended.

Order-in-Council, 5th March, 1935—Gazette, 9th March, 1935.

Crown Mills Game Preserve, establishment.

Order-in-Council, 23rd March, 1935—Gazette, 30th March, 1935.

HIGHWAY IMPROVEMENT.

Mileage added to King's Highway System.

Orders-in-Council, 24th April, 1935—Gazette, 4th May, 1935.

MINING ACT.

Renewal of miner's licenses.

Order-in-Council, 23rd March, 1935—Gazette, 6th April, 1935.

Orders-in-Council of June 9th, 1927, and February 27th, 1934, withdrawing certain lands along Ferguson Highway from operations of Mining Act, amended.

Order-in-Council, 1st May, 1935—Gazette, 11th May, 1935.

Order-in-Council of 10th February, 1919, withdrawing Townships of Foleyet and Ivanhoe from operations of Mining Act, amended.

Order-in-Council, 1st May—Gazette 11th May, 1935.

PRISONERS.

King's Amnesty for.

Proclamation, 26th April, 1935—Gazette, 4th May, 1935.

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